

**GOVERNMENT OF INDIA
MINISTRY OF
LABOUR, EMPLOYMENT & REHABILITATION
(DEPARTMENT OF LABOUR & EMPLOYMENT)
NEW DELHI**



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**REPORT OF THE COMMITTEE
ON
LABOUR WELFARE
(1969)**

C O M M I T T E E

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P R E F A C E

The Report of the Committee on Labour Welfare has been divided into four Volumes*, each containing a number of Parts.

Volume I covers Parts I, II and III of the Report. Part I contains Introduction, Concept and Scope of Labour Welfare, Labour Welfare in Retrospect and Minimum Welfare Amenities. Part II covers Statutory and Non-Statutory Welfare Amenities in factory establishments and Part III gives an account of welfare amenities in selected industries, namely, Iron and Steel, Sugar, Cotton Textile, Jute, Cement, Railways, Posts and Telegraphs, Defence Installations and Workshops, Life Insurance Corporation, Ports and Docks, Banks, Municipal Bodies, Construction Industry, Motor Transport Workers and Seamen.

Volume II contains Parts IV, V and VI of the Report covering Mining and Plantations, Agriculture and Chapters on Allied Welfare Measures namely, Family Planning, Co-operative and Saving facilities, Distress Relief and Cash Benefits, Educational Facilities and Retiral Benefits including Gratuity, etc.

Volume III covers Parts VII, VIII, IX and X. Part VII deals with welfare amenities for workers in Cottage and Small Scale Industries. Part VIII covers Statutory Welfare Funds. Part IX contains Chapters on Role of Welfare Officer, Yoga and Nature Cure and Problems of Handicapped and Disabled Workers. Part X consists of Summary of Recommendations and Conclusions, Acknowledgements, Notes of Dissent and Chairman's comments on those Notes.

Volume IV of the Report comprises Appendices giving Resolution constituting the Committee, its main questionnaire and supplementary questionnaires, circular letters, names of the parties who replied to the Committee's questionnaires as also those who appeared before the Committee in its tours to various States. The Committee toured the Country for about a hundred days between October 1967 and December 1968 and visited about 180 industrial establishments including Plantations and Mines. It had the benefit of advice of nearly 1500 persons during the course of oral evidence.



G. S. MADAN,
Member Secretary.

NEW DELHI :
June 30, 1969.

*All the four Volumes have been brought out in one Volume.

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CHAPTER I

INTRODUCTION

The Committee on Labour Welfare was constituted by the Government of India vide their Resolution No. LWI(I)30(3)/65 of August 5, 1966 (Appendix I) issued by the Ministry of Labour, Employment and Rehabilitation (Department of Labour and Employment) with the following terms of reference :

- (a) to review the functioning of various statutory and non-statutory welfare schemes in industrial establishments, both in the private sector and public sector, including mines and plantations;
- (b) to make such recommendations as may be deemed necessary to improve the functioning of the existing welfare schemes or for introducing new schemes;
- (c) to examine and suggest industries where Welfare Funds like Coal Mines Welfare Fund and Mica Mines Welfare Fund can be created;
- (d) to suggest measures for introducing welfare schemes for rural labour in general with particular reference to agricultural labour; and
- (e) to consider any other related matters that the Committee may deem fit.

1.2. Headed by Shri R. K. Malviya, former Deputy Minister for Labour in the Union Ministry for Labour and Employment, the composition of the Committee was as follows:—

1. Shri R. K. Malviya Chairman
2. Shri T. V. Anandan, M. P. Member
3. Shri P. Basi Reddy, Ex-M.L.A.,
Cuddapah, Andhra Pradesh Member
4. Shri Nathune Ram, M.L.A. Chaibasa, Bihar Member.
5. Shri B. B. Nag, Deputy Secretary, Ministry of Industry & Supply Member.
6. Coal Mines Welfare Commissioner, Dhanbad Member
7. One Representative of the Ministry of Mines and Metals Member
8. One Representative of the Ministry of Railways. Member
9. Shri A. S. Nag, Deputy Secretary, Department of Labour, Government of West Bengal Member
10. Welfare Commissioner, **Maharashtra Labour Welfare Board, Bombay Member
11. Commissioner of Labour, Madras Member
12. Shri Ram Agrawal, All India Manufacturers' Organisation Member

13. Shri R. Lall, Indian Mining Association, Calcutta Member
14. Shri V. I. Chacko, All India Organisation of Industrial Employers Member
15. Shri V. V. Dravid, Indian National Trade Union Congress Member
16. Shri Phani Ghosh, Hind Mazdoor Sabha Member
17. Shri K. G. Srivastava, All India Trade Union Congress Member

1.3. Shri Teja Singh Sahni, who was Member-Secretary of Central Wage Boards for Road Transport and Electricity Undertakings, was also appointed on September 20, 1966 to act as the Member-Secretary of the Committee on Labour Welfare.

1.4. The original composition of the Committee underwent the following changes :

- (i) The Ministry of Industrial Development and Company Law Affairs was represented since June 19, 1968, by Shri C. Balasubramaniam, Director in that Ministry. He replaced Shri K. Raja Ram, who represented that Ministry from June 14, 1968, as a substitute of of Shri B. B. Nag.
- (ii) Shri G. R. Venkataraman, Deputy Director in the Railway Board represented the Railway Ministry from September 2, 1968, vide Shri Pancham Lal, who represented the said Ministry from May 28, 1968 till September 1, 1968. The first representative of the Railway Ministry was Shri Kunwar Bahadur.
- (iii) Shri G. Ramaswamy, Deputy Secretary in the Ministry of Mines and Metals represented that Ministry from April 21, 1969 vide Shri Ajit Singh who had earlier replaced Shri K. K. Dhar from December 17, 1968.
- (iv) On his reversion to the Government of Bihar, Shri S.K. Sinha, the Coal Mines Welfare Commissioner, Dhanbad, was substituted by his successor, Shri S. N. Pande from September 11, 1968.
- (v) Shri T. S. Sankaran, Additional Secretary, Tamil Nadu Government, on his appointment as Joint Secretary to the Government of India in the Department of Labour & Employment, New Delhi, was replaced by Shri M. M. Rajendran, Labour Commissioner, Tamil Nadu, from December 17, 1968.
- (vi) Shri G. S. Gupta replaced Shri Ram Agrawal from December 5, 1966, as a representative of the All India Manufacturers' Organisation.

*Now a member of the Legislative Assembly of Andhra Pradesh.

**Dr. M. S. Sabnis, Welfare Commissioner, Maharashtra continued to represent his State on the Committee,

- (vii) Brig. K. Bag Singh represented the Employers' Federation of India from October 9, 1967 vide Shri R. K. Seth. The Federation was originally represented by Shri R. Lall.
- (viii) Shri Prabin Goswami of the Indian National Trade Union Congress replaced Shri Arun Bhattacharya from December 9, 1968. That Organisation was originally represented by Shri V. V. Dravid.
- (ix) Shri G. S. Madan was appointed Member-Secretary from November 26, 1967, in place of Shri Teja Singh Sabni, who proceeded on an assignment of the International Labour Organisation.

1.5. The first meeting of the Committee was formally inaugurated by Shri Jagjivan Ram, the then Union Minister for Labour, Employment and Rehabilitation, Government of India, on March 6, 1967, at New Delhi. While thanking the Minister the Chairman assured him that, though its task was onerous, the Committee would do its best to lay down the norms on welfare for workers.

Methodology.

1.6. In view of the extensive terms of reference of the Committee and coverage expected of it, it was necessary for us to have the benefit of views of all parties concerned—Ministries of Central Government, State Governments, Union Territory Administration, Public Sector Undertakings, Central Workers' and Employers' Organisations, Regional Employers' and Workers' Organisations, and eminent persons and specialised agencies in the field of labour and cognate fields.

Issue of Questionnaire.

1.7. We, therefore, decided to issue a detailed questionnaire [Appendix II(A)] for eliciting the views of the interested parties. Issued on May 1, 1967, copies of this questionnaire were sent to Ministries of the Central Government, State Governments, Public Sector Undertakings and Central Employers' and Workers' Organisations. Along with this questionnaire a memorandum [Appendix II(B)] was also sent to State Governments and Union Territory Administrations to supplement the information that they might send in response to the main questionnaire. Copies of the questionnaire were also sent to all members of the Parliament and Members of the Legislative Assemblies in States as also in the Union Territories, wherever such Assemblies exist. Central Workers' and Employers' Organisations were supplied with necessary number of copies with the request that they might distribute the same to their constituent units, collate the views received from them and send to the Committee a consolidated reply, which would reflect the views of the Central Organisation concerned on behalf of its affiliates. Additional copies of the questionnaire were made available to Labour Commissioners for wider distribution before the commencement of the Committee's tour to different States and Union Territories.

1.8. A supplementary questionnaire [Appendix II(C)] on Agriculture and Rural Labour was issued in September, 1967 to obtain information and to invite views of the concerned Ministries of the Central Government, State Governments/Union

Territory Administrations and Institutions like Bharat Krishak Samaj, Agricultural Universities and Central Workers' and Employers' Organisations. Krishi Pandits and other eminent persons and experts in the field of rural and agricultural labour were also requested to enlighten us with their views.

1.9. In addition to the main and supplementary questionnaires, referred to above, the Secretariat of the Committee had to fill in a number of gaps relating to certain specified fields of labour welfare. Various circular letters were, as a result, issued to the concerned parties. Copies of these circular letters are appended (Appendix III).

Response to the Questionnaire.

1.10. We have been very keen to get as much information as possible on various items listed in the questionnaire. In our letter, forwarding copies of the main questionnaire, we requested the industrial undertakings to exhibit the said letter and the questionnaire alongwith their translation in the language understood by the majority of workers, on the notice board at the place of work, for the information of the workers. The parties were requested to send their replies within three months. We also requested them to intimate us, whether they would like to be heard personally or through any of their organisations, to clarify further or augment views expressed in their replies to the questionnaire. The time limit of three months for sending replies to the questionnaire had, however, to be relaxed on request from various parties.

1.11. The response to the questionnaire has been very encouraging. All the concerned Ministries of the Central Government, State Governments, Union Territory Administrations, almost all Public Sector Undertakings and all Central Employers and Workers' Organisations have favoured us with their views. In addition, a large number of other organisations, unions, specialists and individuals have also sent their replies. A list of all the parties who have responded to the Committee's questionnaire is appended (Appendix IV).

Constitution of Sub-Committees.

1.12. We decided to set up four Study Groups, later converted into three Sub-Committees, to make a thorough study of labour welfare measures in major sectors of industries viz., Manufacturing and other Industries, Mining Industry and Plantations and Agriculture. The membership of these Sub-Committees was confined to the members of the Committee only. The Chairman and the Member-Secretary have been ex-officio members of all the three Sub-Committees. These Sub-Committees could invite or associate any experts that they considered necessary. Two important exceptions were, however, made to this decision. Lt. Col. B. L. Raina, Director, Central Family Planning Institute, was associated as an expert on Health and Family Planning, with the deliberations of all the three Sub-Committees at the instance of the Central Ministry of Health, Family Planning and Urban Development. We considered it advisable to associate Director General of Mines Safety, or his representative, with the Sub-Committee for Mining Industry. For the sake of convenience, headquarters of the Sub-Committee for Mining Industry were located at Dhanbad and the Coal Mines Welfare Com-

missioner acted as its Convener. The remaining two Sub-Committees were located at Delhi, with Member-Secretary as their Convener.

1.13. These Sub-Committees held their meetings separately till September 1968. By then, they had taken decisions on major issues pertaining to their respective spheres. We, therefore, decided in October, 1968 that it was not necessary for the Sub-Committees to hold separate sittings thereafter, more so when the decisions taken by them were again to be considered by the Committee as a whole. Till the end of September, 1968, the Sub-Committee on Mining Industry, the Sub-Committee on Plantations and Agriculture and the Sub-Committee on Manufacturing and other Industries held nine, six and seven meetings respectively.

Evidence tendered before the Committee

1.14. We felt that this Committee should also hear various interests to have first-hand information on prevailing labour welfare conditions in various industries in the country. The Committee accordingly set out a programme for having its sittings in various States/Union Territories. Our tours commenced in October, 1967, with our visit to the States of Punjab, Haryana the Union Territories of Chandigarh and Himachal Pradesh and ended in October 1968 with our last visit to the State of Jammu and Kashmir. During these tours we met Labour Ministers in some States/Union Territories for their views and recorded the evidence of the representatives of State Governments, Employers' and Workers' organisations, Members of State Legislatures and eminent persons in the field of labour. We also felt it necessary to visit selected industrial units to acquaint ourselves with the existing welfare measures. The Committee, therefore, visited a number of factories, plantations and mines, selected by State Governments and Union Territory Administrations, during the course of our tours to those places. The Chairman visited important Yoga and Nature-cure Centre for obtaining first-hand information about their efficacy and application to labour. Besides, the Chairman and Member-Secretary paid visits to some of the States again for holding further discussions and for eliciting clarifications from the concerned authorities/parties. The Member-Secretary also held discussions and visited some places alone. The details of the establishments visited are given in Appendix V (A, B and C).

1.15. The Committee had the privilege of meeting Shri V. V. Giri, *Vice-President of India whose valuable views were recorded. His written views were also received.

1.16. The Committee also met some Members of the Parliament and Senior Officials of the Central Ministries and Planning Commission. Our discussions with them were highly rewarding.

1.17. In all we met 1500 persons in our tours and in the discussions held in Delhi. The names of the persons who appeared before the Committee are given in the Appendix VI.

1.18. Besides the replies received and views expressed in the oral evidence before the Com-

mittee, we had to draw upon various other sources and agencies for supplementing material on labour welfare in the preparation of working papers for the Committee. The findings of the Royal Commission on Labour and of the Labour Investigation Committee were made use of to the extent they dealt with labour welfare in their reports.

1.19. The suggestions of the Study Team set up by the Union Ministry of Labour and Employment, in December, 1959, to make such recommendations as could provide a base for formulation of labour welfare schemes in the Third Five Year Plan, have also been useful in our deliberations. The Secretariat took advantage of the reports of Survey of Labour Conditions conducted by Labour Bureau, Simla, in 44 industries as well. The Committee also consulted a number of other reports brought out by the Labour Bureau, Simla, on various aspects of labour legislation, including labour welfare. Studies carried out by the Implementation and Evaluation Division of the Department of Labour and Employment regarding implementation of labour enactments, provision of welfare amenities and industrial relations, in a number of Public and Private Sector Undertakings, were also made use of.

1.20. To supplement the information collected from published sources, replies received in the Secretariat and evidence tendered before the Committee, the State Governments/Union Territory Administrations were requested to set up Sub-Committees/Study Groups to undertake special studies for assessment of the implementation of the statutory welfare measures under the Factories Act, and the Plantations Labour Act, wherever Plantations exist. Out of twenty-six States and Union Territories addressed in the matter, twelve State/Union Territories set up these special Sub-Committees and ten sent detailed replies on the basis of the data available with their Labour Departments. As for the implementation of welfare measures under the Mines Act, the Director General of Mines Safety, Dhanbad, carried out, at our instance, a special study on a random sampling basis in 5% of the non-coal mines throughout the country.

1.21. We also got four specialised studies conducted by the Shri Ram Centre for Industrial Relations, New Delhi (i) Minimum Standard of Labour Welfare (ii) The Concept of Labour Welfare (iii) Financing and Administration of Labour Welfare and (iv) The Labour Welfare Officer.

1.22. With a view to studying the special situation prevailing in some unorganised and small scale undertakings, a number of State Governments and representatives of Employers' and Workers' Organisations, who appeared before the Committee, were requested to undertake special studies or give detailed notes. We received such notes from most of the parties. We would like to mention in this regard the detailed studies conducted for us by the Government of Uttar Pradesh in Glass Bangle, Shoe Making Industries and in Tanneries in that State.

1.23. The Secretariat made extensive use of the library of the Department of Labour and Employment and the literature available in the India Branch of the International Labour Organisation.

*Now acting as President.

A large number of Embassies/High Commissions in New Delhi, were approached to furnish to the Committee, literature with regard to labour welfare measures obtaining in their respective countries. The response from them was very encouraging. Labour Attaches of some of the countries also called upon the Chairman to discuss provisions and administration of labour welfare measures in their respective countries.

Outline of the Report

1.24. The Committee finalised draft outline of the Report in its 19th Meeting held in January, 1969, at Bombay. The Report is divided into XI Parts. These are: Part I "General Approach", Part II—"Welfare Amenities for workers in Manufacturing Industries", Part III—"Welfare Amenities in Selected Industries", Part IV—"Welfare Amenities for Workers in Mining Industry". Part V—"Welfare Amenities for Workers in Plantations and Agriculture, Part VI—

"Allied Welfare Measures", Part VII—"Welfare Amenities for Workers in Cottage and Small Scale Industries, Part VIII—"Statutory Labour Welfare Fund", Part IX—"Miscellaneous Subjects", Part X—"Summary of Recommendations and Conclusions, and Part XI—"Appendices".

Meetings of the Committee

1.25. The Committee held in all twenty seven meetings to consider various working papers/memoranda prepared by the Secretariat on different subjects included in our questionnaire and supplementary questionnaires. Its last meeting was held on 30th June, 1969 at New Delhi in which the members signed the Report.

1.26. Our limitations have been many. Within these limitations, specially lack of the published data on Labour Welfare in the unorganised sector and in the case of rural and agricultural labour, we have attempted to give as objective and practical recommendations as possible.



CONCEPT AND SCOPE OF LABOUR WELFARE

2.1. 'Welfare' is a broad concept. It connotes a condition of well-being, happiness, satisfaction, conservation and development of human resources.

2.7. As welfare become an accepted feature of employment conditions, the State began to intervene in order to widen the area of its applicability.

2.8. Though set late in the 19th century, the pace of industrialisation in India received considerable impetus after the First World War and especially after the grant of tariff protection. Simultaneously the trade union movement in India also gained ground. Those were the hectic days of intense political activity aimed at attainment of independence from foreign rule. Industrial labour in India was also influenced by the political awakening of the country. This awakening obviously gave rise to a series of demands on the part of labour.

2.9. Mahatma Gandhi, through his general programme for upliftment of the toiling masses of the country made a considerable impact upon the concept of labour welfare in India.¹

2.10. The philosophy and concept of labour welfare came in for a generous mention in a resolution passed by the Indian National Congress on Fundamental Rights and Economic Programme in its Karachi Session in 1931. The resolution demanded that the organisation of economic life in the country must conform to the principles of justice and it might secure a decent standard of living. It also emphasised that the State should safeguard the interest of industrial workers and should secure for them, by suitable legislation, a living wage, healthy conditions of work, limited hours of labour, suitable machinery for the settlement of disputes between employers and workmen and protection against the economic consequences of old age, sickness and unemployment.²

2.11. This resolution provided a plank for evolution and advancement of the concept of labour welfare. The sentiments expressed in the Resolution were to find expression in the Labour Legislations enacted in the later years.

2.12. The concept of labour welfare received new strength as a national objective in the wake of independence. In December, 1947, an Industrial Truce Resolution was adopted by representatives

1. "I do not want anything more for workers and peasants than enough to eat and house and clothes themselves and live in ordinary comfort as self respecting human being".—Mahatma Gandhi—Young India—2nd April, 1931.

2. The Karachi Resolution, 1931, of the Indian National Congress regarding Fundamental Rights and Economic Programme resolved as under

L'abbaye de Saint-Denis

- (2) (a) The organisation of economic life must conform to the principles of justice, to the end that it may secure a decent standard of living.
- (b) The State shall safeguard the interest of industrial workers and shall secure for them by suitable legislation and other ways, a living wage, healthy conditions of work, limited hours of work, suitable machinery for settlement of disputes between employers and workmen; and protection against the economic consequences of old age, sickness and unemployment.
- (3) Labour to be freed from serfdom and conditions bordering on serfdom.
- (4) Protection of women workers and specially adequate provision for leave during maternity period.
- (5) Children of school going age shall not be employed in mines and factories.
- (6) Peasants and workers shall have the right to form unions to protect their interest.

of Government (Central, Provincial and then Indian States) employers and workers, for the reconstruction of the country's economy. The Resolution emphasised that labour welfare was essential for industrial amity.*

2.13. The following Articles of the Constitution in the Chapter or Directive Principles of State Policy also emphasise the concept of welfare.

Article 41.—The State shall, within the limits of its economic capacity and development, make effective provision for securing the right to work, to education and to public assistance in cases of unemployment, old-age, sickness and disablement, and in other cases of underserved want.

Article 42.—The State shall make provision for securing just and humane conditions of work and for maternity relief.

Article 43.—The State shall endeavour to secure, by suitable legislation or economic organisation or in any other way, to all workers, agricultural, industrial or otherwise, work, a living wage, conditions of work ensuring a decent standard of life and full enjoyment of leisure and social and cultural opportunities and, in particular, the State shall endeavour to promote cottage industries on an individual or co-operative basis in rural areas.

2.14. The philosophy and concept of labour welfare in India were also influenced considerably by the Philadelphia Declaration of May 1944.* As it stands today, it is thus a synthesis of social, economic and political developments.

3. Resolution :

This Conference considers that the increase in industrial production which is so vital to the economy of the country cannot be achieved without the fullest cooperation between labour and management and stable and friendly relations between them. The employers must recognise the proper role of labour in industry and the need to secure for labour fair wages and working conditions; labour for its part must give equal recognition to its duty in contributing to the increase of the national income without which a permanent rise in the general standard of living cannot be achieved. Mutual discussion of all problems common to both and a determination to settle all disputes without recourse to interruption in or slowing down of production should be the common aim of employers and labour. The system of remuneration to capital as well as labour must be so devised that while in the interests of the consumers and the primary producers excessive profits should be prevented by suitable measures of taxation and otherwise, both will share the product of their common effort after making provision for payment of fair wages to labour, a fair return on capital employed in the industry and reasonable reserves for the maintenance and expansion of the undertaking. For attaining these objectives, this Conference recommends

- (i) That the fullest use should be made of statutory and other machinery for the resolution of industrial disputes in a just and peaceful manner; where it does not exist, it should be created without delay. Such machinery should as far as possible be uniform throughout India.
- (ii) The establishment of machinery, Central, regional and functional, for the study and determination of fair wages and conditions of labour, and fair remuneration for capital; and methods for the association of labour in all matters concerning industrial production, such as, the formation of Central, Regional and Unit Production Committees.
- (iii) The constitution in each industrial undertaking of Works Committees representing management and duly elected representatives of labour for the settlement of any dispute which may arise from day to day.
- (iv) That as a first step towards improving the standard of living of workers immediate attention should be devoted to the problem of housing of industrial labour; the cost of such housing should be shared in suitable proportions between the Government, employers and labour, the share of labour being given in the shape of a reasonable rent.

The principles enunciated above having been accepted, this Conference calls upon labour and management to agree to maintain industrial peace and to avert lock-outs, strikes or slowing down of production during the next three years.

Conference invites labour and management to assist Government to secure, promote and guarantee such agreements between the parties as well usher in a period of contented and orderly advancement towards a cooperative Commonwealth.

4. (Declaration of the aims and purposes of International Labour Organisation adopted at Philadelphia in May, 1944)

- “(a) Labour is not a commodity.
- (b) Freedom of expression and of association are essential to sustained progress.
- (c) Poverty any where constitutes a danger to prosperity everywhere.
- (d) The war against want requires to be carried on with unrelenting vigour within each nation, and by continuous and concerted international effort in which the representatives of workers and employers enjoying equal status with those of Governments, join with them in free discussion and democratic decision with a view to the promotion of common welfare.

5. The Royal Commission on Labour Report—p. 261.

II—Scope of Labour Welfare

2.15. Being a dynamic subject, no rigid limits can be laid down for scope of labour welfare for all industries and for all times. It can be elastic enough to include all the essential pre-requisites of life that a worker, as a human being, reasonably stands in need of. It can also be confined to the extremely limited domain of basic minimum amenities without which a worker cannot work. Quite close and sensitive to political and social changes, the scope of labour welfare also gets inevitably tagged to developments in these fields. Primarily because of the environments in which he works and lives, a worker expects, and perhaps also stands in need of, more than what is available to him in social services as a citizen.

2.16 This belief has also been shared by the Royal Commission on Labour. Way back, in 1931, the Commission commenting on this matter said the concept of labour welfare “must necessarily be elastic, bearing a somewhat different interpretation in one country from another, according to the different social customs, the degree of industrialisation and the educational development of the worker.”*

2.17. Within the broad range mentioned above, the scope of labour welfare can be interpreted in different ways by different countries, with varying stages of economic development, political outlook and social philosophy. This has also been expressed in one of its Reports by the International Labour Organisation. While expressing its interpretation regarding the scope of labour welfare, the ILO has observed: “the term is one which lends itself to

various interpretations, and it has not always the same significance in different countries. Sometimes the concept is a very wide one and is more or less synonymous with conditions of work as a whole. It may include not only the minimum standard of hygiene and safety laid down in general labour legislation, but also such aspects of working life as social insurance schemes, measures for the protection of women and young workers, limitation of hours of work, paid vacations, etc. In other cases, the definition is much more limited, and welfare, in addition to general physical working conditions, is mainly concerned with the day-to-day problems of the workers and the social relationships at the place of work. In some countries the use of welfare facilities provided is confined to the workers employed in the undertaking concerned, while in others the workers' families are allowed to share in many of the benefits which are made available."⁶

2.18. Similar views were also expressed by the Governing Body of the ILO in June, 1953. It was stated that subject of welfare facilities was a very wide one covering a wide field of amenities and activities, not limited to any one industry or occupation.

2.19. Consistent with the subject, the scope of labour welfare has been described by writers and institutions of different shades, in different ways. It is, however, now well recognised on all hands that the scope of labour welfare cannot be confined to facilities within or near the undertaking, either can it be considered to be so comprehensive as to embrace the whole range of social welfare or social services. According to some thinkers the line of demarcation cannot be precise in all cases, but a useful test would be to see whether a welfare measure ameliorates the working and living conditions of a worker and his family. The labour welfare will, according to them, include some or all of the amenities provided in or near the undertaking and related to working and living conditions such as canteens and other feeding facilities, rest and recreational services, sanitary and medical facilities, transport arrangements and housing scheme, as well as, provision of adequate lighting and heating and ventilation, creches and other child-care facilities, training and workers' education, personal counselling for workers and their families. There are others who would not be satisfied with this demarcation only and would like the scope of labour welfare to be extended much beyond the subjects included in labour welfare by the International Labour Organisation in its Resolution on the subject.

2.20. Relying themselves on the findings of a Study Team set up by the Government of India in December, 1959, which observed that "social security is considered one of the important aspects of labour welfare".⁷ The workers assert that welfare must not mean something philanthropic or some gratuitous help to the working class. It should not only be treated as a matter of right obtainable under a statute that all social security measures are, but also an essential part of labour welfare.

2.21. As early as 1916-18, in a reference to the comparatively poorer standard of efficiency of Indian workers, the Indian Industrial Commission stated "that the remedies of this state of affairs are a rise in the standard of comfort and an improvement in public health. These ends can be attained only by education, improved housing, a general policy of betterment, in which an organisation for the care of public health must play a prominent part. If the children of workers are provided with education under tolerable conditions of life, a new generation of workers will grow up who will learn to regard mill work as their fixed occupation. Better housing is a most urgent necessity, especially in the large congested industrial cities. Facilities for health, amusement, shorter hours of work (though a reduction of these may for a time decrease output) and other measures for economic betterment, such as, cheap shops for the sale of articles required by the mill hands, and cooperative societies, are almost equally important. The conditions under which industrial operatives live and work in this country ought, if efficiency aimed at, to approximate as nearly as circumstances permit to those of temperate climates. The problem, not only on moral grounds, but also for economic reasons, must be solved with the least avoidable delay, if the existing and future industries of India are to hold their own against the ever growing competition, which will be still fiercer after the War. No industrial edifice can be permanent, which is built on such unsound foundations as those afforded to the Indian Labour under its present conditions."⁸

2.22. A little over two decades later (1944-46) the Labour Investigation Committee also surveyed the scope of labour welfare in the context of Indian conditions. Summing up its observations the Committee said "For our part, we prefer to include under welfare activities anything done for the intellectual, physical, moral and economic betterment of the workers, whether by employers, by Government or by other agencies, over and above what is laid down by law or what is normally expected as part of the contractual benefits for which the workers may have bargained."⁹

2.23. Some of the observations of Investigating bodies on welfare amenities have been given a legal shape. A large number of activities have been left to be provided either on the volition of the employers or as a result of normal trade union activities. Progressive employers in this country have been providing extra welfare amenities thereby enhancing the quantum and scope of labour welfare measures. Employers during the course of their evidence before the Committee have expressed that human raw material deserves a special attention. The welfare amenities devised for workers should conform to sociological and environmental changes, which have been taking place in this country. Any employer who is interested in increasing his productivity and maintaining industrial peace has to ensure that equal, if not more attention is paid to all the factors of production, of which labour is an important factor.

6. ILO Report II—Provision of facilities for the promotion of workers welfare—Asian Regional Conference—Nuwara Eliya Ceylon—page 3.

7. Report of the Study Team on Labour Welfare—Page 19.

8. Report of the Indian Industrial Commission (1916-18) p. 151.

9. Report of the Labour Investigation Committee—p. 345.

2.24. Yet there are quite many of the employers who subscribe to the view that legislation sets the pace and scope of labour welfare. It is the index of what, in the quintessence of their wisdom, the law makers in this country, have thought fit, proper and adequate, within the context of the overall national objectives, at a particular stage of the country's social and economic development.

2.25. On the side of the workers, has been put forward a demand, consistently and conspicuously in their replies to the Committee's questionnaire as well as during the course of evidence before the Committee, that labour welfare should include all that is necessary for the physical and mental development of a worker, both as a compensation to the wear and tear that he undergoes as a part of production process and also to enable him to sustain and improve upon his basic capacity of contribution to the process of production. They would, therefore, like to include housing, medical, educational facilities, nutrition facilities, rest and recreation, cooperatives, day nursery and creches, provision of sanatoria and holiday homes, social insurance measures, undertaken voluntarily by employers, alone or jointly with workers, sickness and maternity benefit scheme, provident fund, gratuity and pension, rehabilitation of disabled persons and establishment of convalescent homes.

2.26. It was in the context of these divergent views and expansive practices that we addressed ourselves to arrive at a consensus on what should normally be the scope of labour welfare, within social, economic and political objectives laid down by our Constitution. We decided to set a base, which could, in as scientific terms as possible, describe any aspect of social science and give a near possible range of what could be included in the term labour welfare. The International Labour Organisation, being the highest parliament of labour in the World, we felt that the scope of labour welfare, as elucidated by them would serve as an appropriate base for inviting views of various interested parties, including State Governments and Union Territory Administrations.

2.27. In its Resolution of 1947, the International Labour Organisation defined 'Labour Welfare' as "such services, facilities and amenities as adequate canteens, rest and recreation facilities, arrangements for travel to and from work and for the accommodation of workers employed at a distance from their houses and such other services amenities and facilities as contribute to improve the conditions under which workers are employed". Subsequently in June, 1956, the International Labour Conference adopted at its 39th Session, Recommendation No. 102 concerning welfare facilities for workers. The term welfare, as used in the Recommendation includes *inter alia*:

- (a) feeding facilities in or near the undertaking;
- (b) rest and recreation facilities in or near the undertaking (excluding holiday facilities);
- (c) transportation facilities to and from work where ordinary public transport is inadequate or impracticable.

2.28. A number of parties in their replies, and during the course of their oral evidence, have expressed that the said definition is sufficient and is elastic enough to include all necessary welfare

amenities, more so when even the welfare facilities envisaged in the definition are yet to be secured to the workers fully. On the other hand a number of parties have expressed that the ILO definition covers mostly physical activities within the work-place and does not include welfare amenities outside the work-place. It has been expressed that to be broad-based, it should include all matters as affect the health, safety, comfort and general welfare of the workmen and should also include such amenities as housing, insurance against sickness and unemployment, thrift schemes, retiral benefits, medical attention, education and recreation.

2.29. The Mill Owners' Association, Bombay, has advocated before the Committee that basically labour welfare constitutes the provision of such services facilities, amenities as would help in creating healthy and congenial environments and conditions for work as well as recreation. The Association has suggested that in view of the present needs of the country, 'family planning' should also be included within the purview of labour welfare. It has added that the term labour welfare has to be elastic.

2.30. The South India Mill Owners' Organisation has stated that for developing countries with poor unionism and/or politics ridden unionism, the definition as given by ILO Resolution of 1947, is to be enlarged so as to include education of the workers and facilities like 'family planning'. This is essential because labour plays an important role in the development of social objectives.

2.31. The Government of Maharashtra have suggested an amendment in the ILO definition so as to make it broad based and elastic enough to cover different aspects of worker's welfare. According to them, the last clause of ILO definition namely "such other services, amenities and facilities as contribute to improve the conditions under which workers are employed" may be amended to read as "facilities as contribute to improve the conditions under which workers work, live and spend their leisure and to promote their general well-being". It is stated that with the modification the ILO definition becomes broad enough and sufficiently elastic to cover all such problems of general well-being of workers as are necessary to enable an Indian worker to meet his both ends and to maintain a reasonable living standard of his family within the context and limits of the economic and social development of the country and the demands of the community on him in such fields as family planning, etc.

2.32. As expected these views had to be divergent. The Committee, after a careful consideration of the manifold suggestions put before it, had to take a balanced view. We have also to keep in mind the perspective economic development and industrialisation in the country. For laying down a scientific definition which would indicate the span of labour welfare we have to take into cognizance of the future aspirations of labour as well, at least such as in our view appear legitimate enough to be reasonably aspired for. We feel that even the social security measures namely Provident Fund, Pension, Gratuity and the Employees' State Insurance Scheme, Retiral benefits, etc., are the species of the larger family encompassed by the term 'labour welfare'. It is, therefore, only logical to classify these measures too as labour welfare measures. To this extent the definition of labour welfare as given by the International Labour

Organisation, needs to be modified to our conditions. In our considered view the term labour welfare, in the context of social and economic conditions obtainable in our country, should, thus include such services, facilities and amenities as adequate canteens, rest and recreation facilities, sanitary and medical facilities, arrangements for travel to and from work and for the accommodation of workers employed at a distance from their homes, and such other services, amenities and facilities including social security measures as contribute to

improve the conditions under which workers are employed.

2.33. The scope of welfare amenities provided and suggested differs. It has to be a dynamic field, the bounds of which get limited only by such considerations as can be justified, over a transient period, of economic limitations, administrative implications and social repercussions. What forms the base of scope of labour welfare today may well be an out-moded thought of tomorrow.



CHAPTER III

LABOUR WELFARE IN RETROSPECT

3.1. For an evaluation of the existing statutory and non-statutory labour welfare amenities for industrial workers in this country, it will be necessary to examine the developments that have been taking place in the field of labour welfare in this country, especially since the beginning of the 20th century. In the preceding chapter a reference has been made to the fact that labour welfare is as dynamic a field, if not more, as the pace of industrialisation itself. A retrospect of welfare amenities is, therefore, a necessary and relevant study that must be made before any discussion on the present day set up of labour welfare in India can be realistic.

3.2. Earlier attempts at legislation in this country were mainly aimed at regulation of employment rather than of improving working conditions of labour. The concept of labour welfare was then, quite understandably, confined to the provision of employment generally. This is perhaps the reason that in this country, as also in any other country placed in similar circumstances, one comes across legislations of the type of Workmen's Breach of Contract Act, 1859 and Employers' and Workmen's (Disputes) Act, 1860. A series of Acts between 1863 and 1901 were also enacted in respect of indenture labour for plantation industry. The earlier factory legislation was thus mainly confined to employment or working hours. This was the sum and substance of the Factories Act passed in 1881, amended subsequently in 1891 and 1911.

3.3. Thus roots of ameliorative or protective labour legislations in this country owe their origin as much to the benevolence of some of the enlightened employers as to the impact of competitive pressure by foreign markets. As a consequence a Factory Commission was set up in 1875 which led to the passage of the Factories Act in 1881.

3.4. The unsatisfactory conditions of work then prevailing in factories came in for a critical mention by the Factory Commission of 1908. The Commission did not, however, touch upon any of the extra-environmental aspects of working conditions which are now recognised as forming the core of labour welfare.

3.5. A real beginning in the field of labour welfare was made with the findings of the Industrial Commission in its report submitted in 1918.

3.6. Primarily set up to enquire into the then industrial structure of the country and to report on the possibilities of its future growth, the Commission also surveyed welfare provisions such as industrial housing, medical, health, sanitation and educational facilities to the industrial workers. It realised the inadequacy of

these services and linked the poorer efficiency of Indian worker, *inter alia*, to the lack of welfare amenities as well. It observed that efficiency of labour could be improved by the provision of education, amelioration of housing conditions, improvement in health and general welfare facilities etc. In its recommendations the Commission laid greater stress on the provision of housing, health and recreational facilities, setting up of cheap shops for the sale of essential articles of workers and encouragement to workers to form cooperative societies.

3.7. World War I (1914-18) had a tremendous impact on attitudes of Governments and society towards labour. With the cessation of hostility, the world turned to peace and reconstruction and brought into being in 1919 the International Labour Organisation. For the first time, the attention was focused on the importance of labour as a powerful and decisive factor in the task of economic and social reconstruction of the world devastated by war. A tripartite body, comprising Government, labour and employers' representatives, this Organisation, with modest beginnings, has continued to make valuable contributions in the field of labour welfare. These contributions have not been made at any one point of time but have been result of prolonged deliberations by the representatives of the nations over a number of years.

Appointment of Royal Commission on Labour.

3.8. A Royal Commission on Labour presided over by Mr. J.H. Whitley was appointed in 1929. This Commission made comprehensive investigations in almost all the problems relating to labour in factories and plantations. It made a series of recommendations on health, safety, welfare and housing for industrial workers. It also made elaborate recommendations relating to provision of first aid, water supply, creches and canteens inside factory establishments. The Commission emphasised that proper attention should also be paid to general cleanliness in factories and powers given to the administration under the Factories Act should be effectively used to improve working conditions and to eliminate health hazards. To that end the administrative machinery should also, if necessary, be strengthened. Medical and women inspectors were recommended for being appointed to pay special attention to the problems relating to health and hygiene of workers.

3.9. The Royal Commission on Labour traced a large number of imbalances in the life of the industrial workers, including industrial unrest, to the absence of a proper dwelling place for the worker. The Commission went to the extent of stressing that the industrial unrest, which had taken place for a number of years then, was more as a result of realisation on the part of the worker that his standard of living was very low

(1) "The problem, not only on moral grounds, but also for economic reasons, must be solved with the least avoidable delay, if the existing and future industries of India are to hold their own against the ever growing competition which will be still fiercer after the war. No industrial edifice can be permanent which is built on such unsound foundations, as those afforded by Indian labour under its present conditions."

(Extract from the Report of the Industrial Commission 1916-18).

and that he could never hope to raise that standard unless he was comfortably accommodated.' The Commission also suggested that legislation should be introduced throughout the country more or less on the lines of the maternity schemes already in operation in the then Bombay and the Central Provinces.

In the sphere of labour administration, including the administration of labour welfare, the Commission made an important recommendation that "legislation be adopted, preferably by the Central legislature enabling the competent authority to collect information from employers regarding housing conditions (including housing of industrial labour), from merchants regarding prices, from money lenders regarding loans to workers, and from land-lords regarding rentals". Yet another very important recommendation, which had its own impact on labour welfare, though indirectly, made by the Commission was that the possibility of making labour legislation, both Federal and Provincial subject, should be considered. The succeeding paragraphs indicate steps taken by various Provincial Governments as well as the Federal Government to bring into being a number of enactments some of which had a bearing on labour welfare.

3.10. The scope of labour legislation being limited till then, attention through a series of enactments* was directed towards regulating the working conditions of the worker.

A beginning was also made in the field of maternity benefit legislation.

3.11. A number of recommendations were made by the Royal Commission for the health and welfare of plantation labour as well. The recommendations of the Royal Commission on Labour thus laid down the framework for the extension and implementation of welfare measures in the country.

Provincial Autonomy and Labour Welfare.

3.12. An important political development took place in the country with the emergence of provincial autonomy for the provinces. The Gov-

ernment of India Act, 1935 transferred certain subjects to the then provinces in which the Provincial Governments were made autonomous. As a result of Provincial Autonomy labour got a greater share in the governance of the country and as such in the formulation of Labour Welfare policies.

3.13. Popular Governments were installed in nine provinces. The pace was thus set for the labour to realise its dreams in organising itself and in securing as many amenities as it could in all fields of its activities including that of labour welfare.

3.14. Various committees were set up by Provincial Governments to enquire into the working conditions of labour including the provision of housing facilities to them. These committees were The Bombay Textile Labour Enquiry Committee (1937) The Kanpur Labour Enquiry Committee (1937), The Central Provinces Textile Labour Enquiry Committee (1938) and the Bihar Labour Enquiry Committee (1938). The said committees, conducted, *inter-alia*, detailed investigations regarding housing facilities available in various industries and drew pointed attention of the Government towards inadequate and unsatisfactory housing conditions for industrial workers. These committees, as were expected of them, also made a number of valuable suggestions for improving the housing facilities of the working class.

National Planning Committee, 1937.

3.15. Apart from these enquiry committees set up by various Provincial Governments, National Planning Committee was appointed in 1937, under the Chairmanship of Pt. Jawaharlal Nehru, with Prof. K. T. Shah, as General Secretary. This Committee appointed a Sub-Committee on Labour to investigate various labour problems. The Report of this Sub-Committee, submitted in December, 1947, was discussed in detail by the National Planning Committee which passed resolutions concerning living and working conditions of workers. The Sub-Committee recommended 48 hours of work per week, or 9 hours per day, and suggested raising the minimum

3. "There can be no doubt that action is urgently necessary to counteract the serious effect on the health of the workers for which present conditions are responsible. Evidence is not lacking that part of the labour unrest which has characterised industrial development during recent years is due to the realisation, however vague, on the part of the worker that his standard of living is too low and that he can never hope to raise that standard until his home provides him with a degree of comfort which is at present beyond his reach. This awakening sense might well be used to give him a truer understanding of what can be done to place him in more sanitary surroundings and what he can himself do to further that end. Much thought, energy and money will have to be expended before an appreciable advance can be effected, but of the urgent necessity for such advance there can be no question and every humanitarian instinct should compel a united and continuous effort to that end.

(The Report of Royal Commission on Labour—page 294).

4. Report of Royal Commission on Labour, page 446.

5. Some of the important enactments are as follows ;

Central

1. The Tea Districts Emigrant Labour Act, 1932.
2. The Children (Pledging of Labour) Act, 1933.
3. The Indian Dock Labourers Act, 1934.
4. The Payment of Wages Act, 1936.
5. The Workmen's Compensation Act 1923—amended in 1933.
6. The Factories Act 1922—amended in 1934.
7. The Indian Mines Act 1923—amended in 1935.

Provincial

1. Maternity Benefits Legislations in United Provinces Madras, Bengal, Assam, Punjab and Delhi.
2. The Bombay Trade Disputes Conciliation Act, 1934.
3. The Bengal Workmen's Production Act 1935.
4. The Central Provinces Adjustment and liquidation of Industrial Workers Debt Act 1936.
5. The Central Provinces Unregulated Factories Act 1937.
6. The Central Provinces Protection of Debtors Act 1937.

he Committee covered, inter alia, such labour welfare as housing and housing st and recreation, occupational diseases, the case of old age and death, creches, medical aid, washing and bathing educational facilities and entertainment. drew the attention of the Government to of even the basic minimum welfare in providing humane conditions of de the establishments in cottage, and ed industries such as Shellac, Mica Coir Matting, Glass Bangle making, Weaving and Bidimaking. As regards it observed thus :

housing conditions have a definite ng on health and efficiency. Our study he housing situation leads us to the lusion that the present state of affairs ein responsibility for providing houses tatutorily shouldered by none cannot be ved to continue if workers' health and als and their standard of living are to be oved. A clear long term housing policy, efore, seems called for".

For the first time in India, this Committee to light the importance of welfare for workers in the social and economic he country. It emphasised the need not the extension of welfare measures, which then confined only to a few urban cen- cover workers in large number of indus- nes, plantations and communications, but ssed the attention of the Government to nt need of laying down a definite mini- andard of welfare to be observed by s in different industries."

The Committee also highlighted the ice of administration and enforcement of fare measures. In this connection, it that "Many recommendations made by yal Commission in regard to reform of onditions on plantations still remain unt- ed.... most of the labour legislation has been Central and the Provincial nents have largely exercised their rule- power. This responsibility has been dis- by different Provinces in different ways rees and the intentions of the legislature t always been fully carried out..... the

standard adopted for the enforcement of existing labour legislation have differed widely as between various Provinces and the State inter se".

It thus highlighted the need for strengthening of the enforcement machinery for effective im- plementation of laws. The Committee suggested that there should be more frequent inspections and more stringent enforcement of the existing provisions which in its opinion would go a long way in bettering the conditions of workers, in reducing number of accidents and in maintaining their efficiency.

Philadelphia Declaration.

3.22. In May 1944 was laid down the grand Charter of Labour, popularly known as the Declaration of Philadelphia, by the Member States of the International Labour Organisation. Amongst its aims and objects," inter alia, the Declaration said that labour is not a commodity and that it is entitled to a fair deal as an active participant in any programme of economic development or social re-construction.

3.23. The findings of the Rega Committee as well as Philadelphia Declaration influenced the successive pieces of labour legislation which were placed on the statute book in this country in the wake of independence of India in 1947. These two, coinciding as they did with the plans of the British Government to transfer complete political power to the Indian hands, created a very congenial climate for the provision of the much needed welfare amenities to the workers in the country. In the year 1944 a beginning was made with the issue of an ordinance, to constitute a Fund for financing measures to promote the welfare of labour employed in the Coal Mining Industry, the first ever attempt made by the Government of India into creating a special Fund for the purpose of labour welfare. This was followed by an experimental Scheme, in 1946, to finance welfare activities in Industrial Undertak- ings owned and controlled by the Central Gov- ernment, except Railway Board and major ports. The Scheme introduced such of the measures as were outside the scope of the then existing statutory provisions on labour welfare. Built up from contributions of workers, Government grants, various other sources like fines, rebates from contractors, profits of the canteens and

Labour Investigation Committee—Main Report—page 342.

"An important matter touching the life of the industrial workers is the adoption of welfare measures by the State, the and, perhaps, the workers associations. In this regard we find great variations as between Province and Province industry/o industry and also as between the different units of the same industry. No doubt, the Government of India rovincial and State Governments have recently introduced various types of welfare activities but these, we are afraid, y the fringe of problem and cover only a small section of the working classes. We feel that these activities need to be ibly extended so as to cover not only a few urban centres, mainly of factory industries, but also mines, plantations, cations, etc. Secondly a more urgent need is to lay down a definite minimum standard of welfare to be observed by s in different industries. In this connection, we may refer to the Welfare Orders issued from time to time by the of Labour in the United Kingdom.

he Laubour investigation Committee, Main Report—page 374).

. Labour Investigation Committee, Main Report—pages * 378-379.

(F) to secure the extension of social security measures to provide a basic income to all in need of such protection and hensive medical care,

3) to secure adequate protection for the life and health of all workers in all occupations;

4) to make provision for child and maternity protection;

5) to make provision for adequate nutrition, housing and facilities for recreation and culture; and

6) to give assurance of the equality of educational and vocational opportunity.

(Extracts from the Philadelphia Declaration).

3.19. The Committee covered, inter alia, such subjects in labour welfare as housing and housing policy, rest and recreation, occupational diseases, relief in the case of old age and death, creches, canteens, medical aid, washing and bathing facilities, educational facilities and entertainment. It also drew the attention of the Government to the lack of even the basic minimum welfare amenities in providing humane conditions of work inside the establishments in cottage, and unorganised industries such as Shellac, Mica Splitting, Coir Matting, Glass Bangle making, Carpet Weaving and Bidimaking. As regards housing, it observed thus :

"Bad housing conditions have a definite bearing on health and efficiency. Our study of the housing situation leads us to the conclusion that the present state of affairs wherein responsibility for providing houses is statutorily shouldered by none cannot be allowed to continue if workers' health and morals and their standard of living are to be improved. A clear long term housing policy, therefore, seems called for."

3.20. For the first time in India, this Committee brought to light the importance of welfare measures for workers in the social and economic life of the country. It emphasised the need not only for the extension of welfare measures, which were till then confined only to a few urban centres, to cover workers in large number of industries, mines, plantations and communications, but also focussed the attention of the Government to the urgent need of laying down a definite minimum standard of welfare to be observed by employers in different industries."

3.21. The Committee also highlighted the importance of administration and enforcement of the welfare measures. In this connection, it observed that "Many recommendations made by the Royal Commission in regard to reform of labour conditions on plantations still remain unimplemented.... most of the labour legislation in India has been Central and the Provincial Governments have largely exercised their rule-making power. This responsibility has been discharged by different Provinces in different ways and degrees and the intentions of the legislature have not always been fully carried out..... the

standard adopted for the enforcement of existing labour legislation have differed widely as between various Provinces and the State inter se"¹¹.

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3.22. In May 1944 was laid down the grand Charter of Labour, popularly known as the Declaration of Philadelphia, by the Member States of the International Labour Organisation. Amongst its aims and objects," inter alia, the Declaration said that labour is not a commodity and that it is entitled to a fair deal as an active participant in any programme of economic development or social re-construction.

3.23. The findings of the Rege Committee as well as Philadelphia Declaration influenced the successive pieces of labour legislation which were placed on the statute book in this country in the wake of independence of India in 1947. These two, coinciding as they did with the plans of the British Government to transfer complete political power to the Indian hands, created a very congenial climate for the provision of the much needed welfare amenities to the workers in the country. In the year 1944 a beginning was made with the issue of an ordinance, to constitute a Fund for financing measures to promote the welfare of labour employed in the Coal Mining Industry, the first ever attempt made by the Government of India into creating a special Fund for the purpose of labour welfare. This was followed by an experimental Scheme, in 1946, to finance welfare activities in Industrial Undertakings owned and controlled by the Central Government, except Railway Board and major ports. The Scheme introduced such of the measures as were outside the scope of the then existing statutory provisions on labour welfare. Built up from contributions of workers, Government grants, various other sources like fines, rebates from contractors, profits of the canteens and

9. Labour Investigation Committee—Main Report—page 342.

10. "An important matter touching the life of the industrial workers is the adoption of welfare measures by the State, the employer and, perhaps, the workers associations. In this regard we find great variations as between Province and Province and from industry to industry and also as between the different units of the same industry. No doubt, the Government of India and the Provincial and State Governments have recently introduced various types of welfare activities but these, we are afraid, touch only the fringe of problem and cover only a small section of the working classes. We feel that these activities need to be considerably extended so as to cover not only a few urban centres, mainly of factory industries, but also mines, plantations, communications, etc. Secondly a more urgent need is to lay down a definite minimum standard of welfare to be observed by employers in different industries. In this connection, we may refer to the Welfare Orders issued from time to time by the Minister of Labour in the United Kingdom."

(The Labour investigation Committee, Main Report—page 374).

11. Labour Investigation Committee, Main Report—pages * 378-379.

12. (F) to secure the extension of social security measures to provide a basic income to all in need of such protection and comprehensive medical care,

yields from the other welfare enterprises such as cinema shows and dramatic performances etc., a total of 174 such funds for different establishments were in operation by the end of 1964-65. The workers' contribution in these funds had amounted to Rs. 299,346.59; Government's contributions then stood at Rs. 179,459.38.¹³

Labour Welfare during the Interim Government at the Centre

3.24. Immediately after the transfer of the power to the Interim Government, in 1946, with the Governor General of India as the Head of the Government and with late Pandit Jawaharlal Nehru as its Vice-President, a programme of legislative and administrative reforms was drawn up in the shape of a blue-print of Labour policy—a Five Year Programme for Labour. In the course of a debate in the then Central Legislative Assembly, in 1946, Shri Jagjivan Ram, the then Member in-charge of Labour, in the Executive Council, revealed that Government had formulated a Plan for bringing about essential reforms in the interest of the working class in the country. The main features of labour welfare in the proposed programme were:

- (i) "Overhaul of the Factories Act with a view to the prescription and enforcement of right standards in regard to lighting, ventilation, safety, health and welfare of workers, improvement of conditions of work, particularly in unorganised industries and work-places where the present Factories Act does not apply.
- (ii) Provision of adequate housing for workers to the extent of resources, both of man-power and materials, that can be made available for this service.
- (iii) Organisation of the Health Insurance Scheme, applicable to factory workers to start with, for the provision of medical treatment and monetary relief during sickness, maternity benefit on an extended scale, medical treatment in the case of disablement and the substitution of pensions during periods of disablement and to dependents, in case of death, in place of the present lump-sum-payments.
- (iv) Provision of creches and canteens.
- (v) Strengthening of the inspection, staff and the Inspectorate of Mines".

This landmark in the evolution of labour welfare measures had a tremendous impact on various legislative measures that were enacted¹⁴ in the subsequent years by the Central and State Governments.

Resolution on Industrial Truce

3.25. The significance of this Five Year Programme on labour and through it on industrial production was lost sight of owing to political turmoil that took place in the country at the time of transfer of power from British to the Indian hands. Political instability, with its obvious repercussions on social and economic life of the country, gave a considerable set-back to industrial production and structure of employment itself. The question of laying any emphasis or paying any attention to the provision of welfare amenities to workers in this situation could hardly arise.

3.26. Geographical boundaries of the country changed. A new situation was created in the country with an unprecedented and grave crises. This required immediate attention to the economic reconstruction of the country. Representatives of Government, employers and workers assembled and adopted an Industrial Truce Resolution. The Resolution affirmed its faith that production was possible only with the maintenance of good and happy industrial relations. These relations could be achieved, amongst other factors, by paying due attention to the welfare of the workers. The Resolution stressed that as a first step towards improving the standard of living of workers immediate attention should be given to the problem of housing of industrial labour; the cost of such housing should be shared in suitable proportions between the Government, employers and labour. The share of labour was to be realised in the shape of a reasonable rent.

Directive Principles and Labour Welfare

3.27. In 1947, the International Labour Organisation laid down the framework of labour welfare and also spelt out the services and amenities which should be included in this framework. These services related to provision of canteens, rest and recreational facilities, sanitary and medical facilities, arrangements for travel to and from work and such other amenities and facilities as may contribute to improve the conditions under which the workers are employed.

3.28. With a clear guidance of what should normally be provided under welfare amenities to workers, from this highest organisation of labour in the world, the framers of the Indian Constitution also paid due attention to the amelioration of working classes of the country. The Indian Constitution has made a specific mention of the duties that the State owes to the labour, to their economic upliftment and social re-generation. Certain directions aimed at physical, social and moral improvement of labour have been enunciated in the Directive Principles of State Policy.

13. The latest statistics with regard to total collections of these Funds are not available. The last published figures have been taken from the Indian Labour Year Book 1965, page 131.

14. Some of the important legislative measures referred to above are —

(a) *Central Acts*: (1) Mica Mines Labour Welfare Fund Act, 1946; (2) Coal Mines Labour Welfare Fund Act, 1947; (3) The Employees State Insurance Act, 1948; (4) The Factories Act, 1948; (5) The Dock Workers' (Regulation of Employment) Act, 1948; (6) The Plantations Labour Act, 1951; (7) The Mines Act, 1952; (8) The Coal Mines (Conservation and Safety) Act, 1952; (9) Employees' Provident Fund Act, 1952; (10) The Merchant Shipping Act, 1958; (11) The Motor Transport Workers Act, 1961 (12) Iron Ore Mines Labour Welfare Cess Act, 1961; (13) Maternity Welfare Act, 1961; (14) Beedi and Cigar Worker (Conditions of Employment) Act, 1966.

(b) *State Acts*: (1) The U.P. Sugar and Power Alcohol Industries Labour Welfare and Development Fund Act, 1950; (2) The Bombay Labour Welfare Fund Act, 1953; (3) The Assam Tea Plantations Fund Scheme Act, 1953; (4) Legislation relating to Shops and Commercial establishments in different States; (5) The Assam Tea Plantations Employees' Welfare Fund Act 1959; (6) The Mysore Labour Welfare Fund Act, 1965; (7) The Punjab Labour Welfare Fund Act, 1965.

3.29. Even before the adoption and promulgation of the Constitution two remarkable developments had taken place for providing the base of labour welfare amenities in the country. The Factories Act, 1948, provided for certain essential welfare services which had not been made statutorily binding on employers under the Factories Act, 1934. As for the provision of medical and health facilities to workers outside the work place, a comprehensive legislation in the shape of the Employees' State Insurance Act was brought into being in 1948. A pioneering measure, it provides benefit to workers in the case of sickness, maternity and employment injury, and also makes provision for certain other related matters.

Plans and Labour Welfare

3.30. Immediately after India became a Sovereign Democratic Republic, the concept of planned economic development through planning was accepted and a Planning Commission was set up in March 1950. The Commission was required to make an assessment of the material, capital and human resources of the country and formulate plans for the "most effective and balanced utilisation of the country's resources". Thus, started an era of economic planning with re-arrangement of resources and allocation of priorities in such a manner as to ensure a balanced development of both economic and social sectors.

Legislation for Plantation Industry

3.31. Before the First Five Year Plan could give its findings and directions in the matter of labour policy, including labour welfare, besides Factories Act, 1948, another comprehensive enactment was placed on the anvil of legislation for plantation workers viz. the Plantation Labour Act, 1951. Some legislative measures for plantation labour were also taken earlier to regulate and improve working conditions of plantation labour which were mainly confined to regulation of recruitment/emigration to plantation areas and prevention against attendant health hazards. The Labour Investigation Committee (1944-1946) had also stressed the need for a uniform labour code for plantation industry. The Plantation Labour Act applies to tea, coffee and rubber and cinchona plantations and covers in detail measures with regard to health, housing, creche, recreational and educational facilities, sickness and maternity benefits and provision of drinking water. Model Rules have also been framed under the Act to provide for a phased implementation of measures relating to housing and medical facilities. Adequate powers have been given to the State Governments to fix dates for the implementation of statutory provisions with regard to conservancy, canteen, creche, recreational and educational facilities.

Legislation for Mining Industry

3.32. Legislation in Mining Industry started from closing years of the last century. The earlier enactments were, however, aimed only at regulating labour conditions and safety in mines. These acts were amended from time to time with a view to re-inforcing and also expanding the scope of the earlier provisions. In the years following 1937, there had been a number of developments in the mining industry viz. progressive extension of safety and welfare measures in mines; introduction of a Coal Mines Welfare Fund; grant of

maternity benefit to women workers; setting up of a Tripartite Committee on Coal Mining; introduction of schemes for the payment of Bonuses and the establishment of a provident fund for workers in coal mines. Besides these developments, a comprehensive Mines Act, was passed in 1952. The Mines Act of 1952, inter alia, contains provisions for health, safety and welfare. Elaborate provisions have been made in the Act for safeguarding the health and safety of workers and for promoting their welfare. Every mine to which this Act applies is required to make arrangement for supply of wholesome drinking water to workers, maintain first-aid boxes, construct required number of latrines and urinals and also maintain first aid rooms with suitable equipment. Though comprehensive, the Act did not break new ground in so far as provision of a large number of welfare measures was concerned because here too attention was mainly paid more to safety measures and provision of medical facilities in the nature of first-aid rather than any comprehensive medical aid to workers.

First Five Year Plan.

3.34. The First Five Year Plan paid considerable attention to labour problems including welfare of the working class. Commenting on labour, the Plan stated that labour problems should be approached from two angles, the welfare of the working class and the country's economic stability and progress. The basic needs of the worker for food, clothing and shelter must be satisfied. He should also enjoy improved health services, wider provisions of social security, better educational opportunities and increased recreational and cultural facilities. The conditions of work should be such as to safeguard his health and protect him against occupational and other hazards. He should be treated with consideration by the management and he should have access to impartial machinery if he fails to get a fair deal. Finally, he should have freedom to organise and adopt lawful means to promote his rights and interests.

3.35. In a nutshell, it laid emphasis on the development of welfare amenities, special responsibility of welfare officers for avoidance of disputes and creating mutual goodwill and understanding and also constitution of joint committees of representatives of employers and workers to understand each other better. The Plan emphasised that the conditions of work progressively required to be improved although on the legislative side the observation was that whatever had been done in the Factories Act 1948 and the Plantation Labour Act, 1951, along with a Legislation for Shops and Commercial Establishments and Motor Transport workers, should be considered sufficient till then. The provisions of these enactments should be strictly enforced and made effective. It made another important recommendation which related to the establishment of a National Museum of Industrial Health, Safety and Welfare.

3.36. A Central Labour Institute, with regional offices, was thus set up to conduct scientific studies on various aspects of industrial management and development with particular emphasis on human and safety aspects of industry. For providing more houses to the industrial workers, a Subsidised Housing Scheme for Industrial workers was evolved in September, 1952. The various social security measures and other enact-

is referred to earlier namely the Employees' Insurance Act, 1948 and Employees' Provident Fund Act, 1952, Mines Act and Coal Conservation and Safety Act, were brought into being during the course of the First Plan. First Plan also saw the success of joint consultation at various levels which too had its effect on the provision of welfare amenities. In States also, various new enactments were taken. Among these, special mention may be made of the Bombay Labour Welfare Fund Act 1953 and the Assam Tea Plantations Fund Act 1955.

Second Five Year Plan.

37. In its chapter on Labour Policy and Programme the Second Five Year Plan stated that importance of better working conditions had progressively recognised. Though admittedly it remained to be done in various matters regarding industrial housing, progress could only be gradual. The Plan also expressed a hope that the implementation of the Plantation Labour Act would bring some improvement would be recorded in conditions of plantation labour. Greater stress was laid on the creation of industrial democracy in which a worker should realise that he was a part and parcel of the industrial apparatus that was to be in a socialistic pattern of society. This could be done if due attention was paid not only to the provision of welfare amenities to improve working conditions of the worker but also to the timely implementation of the amenities that had already been provided under various statutes.

38. Realising the achievements of the Coal Mines Labour Welfare Funds the Second Plan also suggested institution of a similar fund for the manganese industry. The Plan also stated that where a fund was to be created on the basis of welfare cess, such a cess should be levied by the Central Government unless the industry was located altogether within the limits of one State in which case the State Government could take necessary action. The Plan discussed the administration of welfare funds and stated that wherever feasible unified administration of such funds was necessary in the interest of economy and for providing better welfare amenities. While suggesting the creation of these welfare funds the Plan did not dilute the responsibility of the individual employer in providing welfare amenities to his workers. It observed that, "provision of welfare facilities is the responsibility of an individual employer and as far as possible these activities should be run with the sanction of local committees, on which workers are represented".²⁸ This is how it elaborated on its earlier observations of the creation of industrial democracy.

39. An important suggestion was given by the Second Five Year Plan for providing welfare

measures to workers employed in smaller establishments. It stated "in the case of smaller establishments facilities may be provided jointly."²⁹ The establishment of adequate number of welfare centres was also considered necessary to provide much needed diversion to the workers and training facilities to their family members. It also recommended legislation to regulate working conditions for workers employed in construction industry and transport services.

3.40. The Second Five Year Plan also touched upon the problem of providing ameliorative measures to agricultural labour. It, however, did not suggest any welfare measures as such because in its opinion the first and foremost task was to provide greater employment opportunities and fixation of a minimum wage for this labour.

3.41. The Plan also dwelt in detail on the welfare measures for women workers³⁰ and stressed that greater attention should be paid to them for protection against injurious work, for provision of maternity benefits and for opening of creches for children.

3.42. The Second Five Year Plan, during the period of its operation, saw diversification of welfare and health facilities to more workers. New enactments were undertaken for seamen, motor transport workers etc. The coverage of the Employees' State Insurance Scheme was also extended to cover more workers. A comprehensive Scheme known as Dock Workers (Safety, Health and Welfare) Scheme was drawn up in 1961. In order to finance the welfare activities for the tea plantations employees in Assam, the State Government enacted the Assam Tea Plantations Employees' Welfare Fund Act in 1959, which came into force in June, 1960. A new Plantation Labour Housing Scheme was evolved in April 1956. The Scheme envisaged a certain amount of loan for construction of houses for workers. Various States enacted legislation to regulate the working conditions in shops and commercial establishments.

Appointment of the study team on labour welfare

3.43. In December, 1959 the Union Labour Minister decided to appoint a Study Team to examine the entire range of Labour Welfare activities and make recommendations on which the Labour Welfare schemes in the Third Five Year Plan could be based. This Study Team described labour welfare as services, amenities and facilities which contribute to improve the conditions under which workers are employed. It realised that in a progressive society the needs and aspirations of the workers increased rapidly and legislation could not keep pace with it. The Study Team broadly divided labour welfare amenities into three main groups:

- (i) Amenities and facilities that may be provided inside undertakings;

5. Second Five Year Plan—page 582.

6. Second Five Year Plan—page 582.

17. The special cares and duties which fall to women necessarily place them under some handicap as industrial workers. Special provisions for protecting them are, therefore, made in various statutes, but their effective implementation is essential. Particular women should be protected against injurious work, should receive maternity benefits, and work places should be made safe for children. Nursing mothers should be entitled to paid rest intervals for feeding infants. The principle of equal pay for equal work needs to be more vigorously implemented and the tendency to scale down the jobs traditionally handled by women has to be guarded against. Training facilities should be provided for them so that they can compete for jobs. In addition, the possibility of increasing opportunities for their part-time employment should be explored."

Extract from the Second Five Year Plan, page 584).

- (ii) Facilities to be provided outside undertakings; and
- (iii) Social Security measures.

Third Five Year Plan.

3.44. The recommendations of the Study Team set the pace for the formulation of the labour policy in the Third Five Year Plan. The Third Plan also stressed the need for more effective implementation of statutory welfare provisions. It recommended that the improvement of the working conditions could result in greater productive efficiency on the part of workers. Every effort should thus be made to keep abreast of the modern development in various aspects relating to human factor in the industry. It called upon the State Governments to strengthen the inspectorates provided for the administration of Factory laws. The Plan also highlighted the need for taking preventive steps and for conducting regular surveys against exposures to occupational diseases, which in the opinion of the Planning Commission, were on the increase. Regarding the welfare funds the Plan observed thus, "special welfare funds have been constituted for financing welfare measures for workers in the coal and mica mining industries. They are meeting very real needs. Similar funds are proposed to be created for workers in the managanesse and iron ore mines".¹⁸

3.45. The Third Five Year Plan Report marked the progress made in the cooperative housing societies but expressed dissatisfaction on its slow pace. It recommended that a regular campaign should be undertaken for setting up cooperative credit societies and cooperative consumers' stores. It felt that trade unions and voluntary organisations should evince greater interest and initiative in running such cooperatives. The Plan Report also touched upon the Subsidised Industrial Housing Scheme. It stated "The present approach to the problem has been found to be wholly inadequate and new ways will have to be devised immediately so that the workers may be assured of minimum standards in respect of living conditions within a reasonable period in the interest of their health and efficiency. Towards the same end, facilities for recreation and sports will have to be greatly enlarged for all sections of workers".¹⁹

3.46. In this Plan was also highlighted the need for providing better living and working conditions in the case of agricultural labour and workers in unorganised industry. To quote the Report "While considerable improvement has occurred in the living and working conditions of employees in large and organised industries, owing both to State activity and trade union action, a great deal of lee-way remains to be made up in respect of the workers engaged in agriculture and unorganised industries. Their conditions should become a matter of special concern to the Government as well as to the organisations of labour."²⁰

3.47. The legislative measures undertaken since Independence continued to provide main structure of labour welfare during the Third Plan. Greater emphasis was placed on collective bargaining and on mutual agreements for improving industrial

relations as well as workers well being. For iron ore miners, the Iron Ore Mines Labour Welfare Cess Act, 1961 was passed.

With a view to reducing disparities in regard to maternity benefits in the existing State acts, a Central Maternity Benefit Act was also enacted in 1961. The States of Mysore and Punjab enacted the Mysore Labour Welfare Fund Act and the Punjab Labour Welfare Fund Act, in 1965.

For accelerating the pace of housing activities in the plantation industry the Plantation Labour Housing Scheme was amended in April, 1966 to bring it at par with the Subsidised Housing Scheme for Industrial Workers.

Fourth Five Year Plan.

3.48. The Draft Fourth Five Year Plan (1969-74) presented to the Parliament in April 1969 provides for the expansion of E.S.I. activities to provide hospitalization to families of all insured workers; to cover shops and commercial establishments in selected centres as also non-power factories employing ten or more persons.

The Plan also mentions that programmes for welfare centres, holiday homes and recreational centres have been included in State plans. Stress is also to be laid on strengthening labour administration for better enforcement of labour laws. A provision of Rs. 37.11 crores has been made in the plan for labour welfare programmes, a notable feature indeed.

Welfare work by State Governments.

3.49. A beginning in the field of organised labour welfare work under Government aegis was made during the period of 1937-39, when the responsibility for administering the labour measures was entrusted to the Provinces. Composite welfare activities through the institution of labour welfare Centres were initiated by the Government of Bombay in 1937. The Governments of Uttar Pradesh and West Bengal followed. Most State Governments and Union Territory/Administrations are now running labour welfare centres as a part of welfare programmes to cater to the recreational and cultural needs of industrial workers. The types of welfare centres and the activities provided vary from State to State. In recent years the number of welfare centres in each state has increased and their activities have also been enlarged. The labour welfare centres generally provide medical and recreational facilities for workers and their families, reading rooms and libraries, literacy classes for workers, educational facilities for workers' children, handicrafts for workers' families and social and cultural activities such as music, dance, dramatic performances etc. The details about the working and administration of the welfare centres have dealt with in a separate Chapter, on Statutory Welfare Funds/Boards.

Welfare work by employers.

3.50. In this chapter we have made a very brief resume of the welfare amenities provided to the working class in India through State action. This is not all. There have been and there are a large

18. Third Five Year Plan—page 259.

19. Third Five Year Plan—pages 259-260.

20. Third Five Year Plan Report—pages 259-260.

number of employers, especially in large scale industrial establishments, in the organised sector of industries who have provided a wide variety of welfare amenities and services to their employees of their own. Some of them have been providing these amenities on a progressive scale even before the State had thought of or the State action was initiated in the matter of provision of those amenities.

3.51. Large number of replies received from industrial units, mines and plantations by us have revealed that the employers, on their own, have been providing welfare amenities such as housing, education of workers' children, recreational amenities, distress relief, grants for organising sports and dramatic performances, gratuity and other forms of retiral benefits.)

The Indian Jute Mills Association is possibly the only employers' organisation known to have undertaken the direct responsibility for providing certain welfare amenities to workers on behalf of its constitution units. The Association is running welfare centres to cater to the recreational and cultural needs of the workers of a group of Jute Mills located in the same area. The recreational facilities provided by these welfare centres, together with the ones opened by the individual units, include indoor and outdoor games, sports, physical culture classes, reading rooms, radio sets, musical classes, dramatic societies, zenana clubs and sewing classes for women. The Association has also opened primary schools for imparting free education to workers' children and organises regular holiday camps for them. A few individual mills have also established higher secondary schools with the contributions of its member mills. The Association also built a modern and well-equipped hospital, with 409 beds, and has handed it over to the Government of West Bengal for running it as a Non-Tubercular Chest Hospital.

Welfare work by Workers' Organisations

3.52. Though limited in extent and scope the trade unions have also taken interest in the welfare work of their workers. Amongst the trade unions which are undertaking certain welfare activities for their workers, special mentions may be made of the Ahmedabad Textile Labour Organisation and the Mill Mazdoor Union at Indore.

3.53. The Textile Labour Organisation, Ahmedabad has been organising welfare activities since its inception. In recent years it has widened sphere of its welfare activities and spends a considerable portion of their income on them. The Association is running day and night schools, maintaining a residential boarding house for working class girls, study homes for boys, reading rooms and libraries and running gymnasiums to impart physical education for children. It also organises games, competitions and gives training in painting, embroidery, sewing, cooking etc., to women workers. The Association is also running allopathic and homeopathic dispensaries in different localities at Ahmedabad and also maintains a maternity home. A Workers' Cooperative Bank too functions for the benefit of workers.

The Mill Mazdoor Union, Indore is running labour welfare centres consisting of Bal, Kanya and Mahila Mandirs. Dances, music and social gatherings are also arranged.

The list is only illustrative and not exhaustive. The Committee did not receive information from other workers' organisations which too may be undertaking some welfare work for the benefit of their members.

3.54. The trade unions are keen to undertake welfare work for the promotion of cultural and recreational activities of their workers but paucity of funds stands in their way. The spheres in which trade unions can play an effective role in promoting and providing welfare amenities have been dealt with in detail in the Chapter on 'Role of Trade Unions'.

3.55. The action of the State and the efforts of the employers and workers are designed to achieve the same objective, i.e., to raise the standard of living and to improve the working conditions of labour consistently and progressively, though gradually, over a period of time, to enable the workers to participate as an effective partner in the social and economic advancement of the country. It is in this context and in this background that we have essayed to review the existing welfare amenities to the workers in the succeeding parts of this Report.

CHAPTER IV

MINIMUM WELFARE AMENITIES

4.1. The provision and extension of welfare amenities in modern society is a measure of its material progress and its capacity to organise and provide for ever expanding sections of the community certain minimum facilities consistent with the prevailing ideas of well-being. In an industrial society, the introduction of welfare amenities is accepted by the employees as a means to increase the comfort and convenience of people at work or to enhance the satisfaction they derive from being employed by a good employer. Labour welfare introduces the extra dimension to industrial relations which even a satisfactory wage alone cannot provide. It expresses the human interest an enlightened employer has in the well-being and contentment of the people who work for him.

4.2. Considerable latitude in the variety, range and standards of welfare amenities provided by individual enterprises or industries is inherent in the nature of welfare concepts but under certain conditions the laying down of statutory standards become necessary. The peculiar nature of the industry, the need to ensure that certain facilities are uniformly provided so that no employer has an advantage by not conforming to the general standards and the essential need for certain amenities determine the choice of the industry or undertaking where statutory compulsion has to be applied.

4.3. The concept of minimum welfare, in the field of labour welfare, is not a new idea. At the International level this minimum was thought of as early as in 1947. It was then proposed by the representatives of the Belgium Government, in the 30th Session of the International Labour Organisation, that a resolution should be passed laying down a minimum of welfare amenities, which was acceded to in most of the industrialised countries but which, in the opinion of the Belgium Government, should have been attained every where. In support of this proposal it was also stated that the welfare amenities listed in the proposed resolution¹ did not constitute too heavy a burden on the majority of enterprises. It was further claimed that "experience has now shown that the expenses which such projects incur are balanced by an increase in production".

4.4. India, which is also a member of the International Labour Organisation, subscribes to the board outlines of minimum welfare standards laid down by the ILO. There have been a number of changes in the Factories legislation in India only to broaden the base of the minimum necessary welfare amenities considered essential for enabling a worker to perform the duties expected of him. It is generally agreed that broadly legislation in a country lays down the floor of minimum essential services or regulation requir-

ed for the proper conduct of a function. In the case of welfare legislation relating to factories and mines, minimum necessary welfare amenities have been provided generally in the work-place only. When enacting legislation, Government generally takes into consideration all the pros and cons of the said legislation before it is put on the statute. We are, therefore, quite clear in our mind that no excessive measures are provided when a protective legislation of this kind is brought into being. It is only after the experts have surveyed certain basic minimum requirements of conditions of work, health, and safety, which are indispensable, that they are provided in legislation. We, therefore, take it that in a way the minima of welfare amenities within the work-place has been laid down already by the existing legislation, namely, the Factories Act, 1948, the Plantations Labour Act, 1951 and the Mines Act, 1952.

4.5. In the case of Factories Act, no minimum welfare amenities relating to housing, medical treatment, recreation, transport and educational facilities have been laid down. Considered essential as a basic minimum requirement, keeping in view the working conditions in plantations, housing, education, medical and recreation, has been made an obligation on employers for workers in plantations. For factory establishments, however, a comprehensive enactment namely the Employees' State Insurance Act, 1948 exists to provide minimum basic in the field of medical facilities only. But this Act too has its limitations. Its application is based on the strength of employment of an establishment. Despite this limitation, there are other limitations as well—the Act is not universally applicable even to all factory establishments falling within the range of the eligible number of employment, in all parts of the country. No such stipulation has been made in the case of Mines. Another way has been found for some of the minerals to provide these essential services through the institution of welfare funds which are confined to three minerals only, namely, coal, mica and iron ore. The need for laying down a minimum in respect of such essential welfare services, which do not relate to working conditions inside an establishment or which were at the time of initiating legislation, not considered essential, or perhaps considered impracticable at that stage, cannot now be denied.

4.6. The Conventions and Recommendations adopted by the International Labour Organisation constitute the International Labour Code. The Indian Labour legislation which, amongst others, established the minimum standards of labour welfare, compares favourably with those found in the International Code.

1. The International Labour Conference in its 30th Session, (i) draws attention to the importance of establishing in undertakings, wherever appropriate, in cooperation with representatives of the workers concerned and under properly qualified management, such services, facilities and amenities as adequate canteens, rest and recreation facilities, sanitary and medical facilities, arrangements for travel to and from work and for the accommodation of workers employed at a distance from their homes, and such other services, amenities and facilities as contribute to improve the conditions under which workers are employed, and (ii) requests the Governing Body (a) to instruct the International Labour Office to expand its studies of the administration and working of such services, facilities and amenities; (b) to consider the desirability of placing the question, or such aspects of it as may be appropriate on the Agenda of an early Session of the Conference; and (c) to refer to future Regional Conferences and to the Industrial Committee for consideration, such aspects of the question as may present special problems in particular regions or industries.

4.7. Recommendation Nos. 97, 102, 115 and 127 of the ILO deal with the minimum standards of workers' health, welfare, housing and cooperatives. These recommendations lay down the contents of the subject dealt with and also indicate the manner in which to proceed. The Indian labour legislation on workers health and welfare is, by and large, at par with the International standards. The recommendations pertaining to housing and cooperatives have also found acceptance in principle, and programmes are being developed, subject to the availability of resources. It will suffice to say that the ILO through its Code exercises a continuous pull on member countries to establish national minimum standards conforming to the International ones.

4.8. While formulating the minimum standards of labour welfare, it is imperative to look ahead taking into account the rate of economic development, requirements of industry, constitutional directives, changing social values of the community and the economic needs of the working people.

4.9. The need for laying down minimum standards has been accepted by all parties namely, State Governments, Public Sector Undertakings and Employers' and Workers' Organisations. The difference of opinion appears only in matters of details and also with regard to agency/agencies that should provide these minimum welfare facilities.

4.10. In providing basic minimum to the workers, the aim is to maintain economic efficiency and dignity of human labour and to boost the morale for greater production. The existing labour legislation, which was enacted two decades ago, provides only for minimum keeping in view the workers requirements at that particular point of time. Labour welfare being a dynamic subject, with the passage of time and with the growing needs of workers in a developing society on the one hand and economic development on the other, permits comprehensive review of the existing amenities so as to chalk out a minimum standard of amenities for all workers in the country.

4.11. The above contention gets further support from the fact that the economic development of the country should also necessarily lead to human development particularly of those who are one of the essential participants in economic growth. The question of economic position, size, location and nature of an industry should come into consideration only when amenities over and above the minimum have to be provided. If a worker is provided with minimum welfare amenities essential for his well-being and for the upkeep of his family it would probably improve his efficiency, which in turn, would save the industry from being less prosperous.

4.12. It has been argued that while the provision of minimum welfare amenities within the precincts of an establishment should be the responsibility of the employer, amenities in the nature of social obligation, that is those falling outside the work-place, should normally be the responsibility of the State and the expenditure on these amenities should be a charge on the public exchequer. We realise the weight of this argument in this case, more so when the State also benefits, in more than one way, from the industries that are set up by the Enterprise. However,

in case of establishments or industries which are located in isolation and at remote places, this thesis will perhaps not hold good. In such places there is no alternative to the fact that the responsibility of providing welfare amenities, even outside the work-place, should be taken up either by the employer individually or through any other agency created for this purpose.

4.13 It has also been represented before the Committee that the provision of minimum welfare amenities should not be made statutory but should be left to the collective bargaining of employers and workers. Much though this suggestion may appear to be attractive, it has its own limitations for a variety of reasons. The trade union movement in the country has not yet developed to that extent, in all spheres of industrial activity, for effective bargaining. The experience gained in the field of labour so far also reveals that the important question of labour welfare cannot be left entirely to the discretion of the employers. There are, no doubt, progressive and enlightened employers in the country who have all along been taking care of the welfare of their employees but at the same time there are employers who have been either neglecting this aspect so far or have not paid the necessary attention it deserves. The provision of minimum facilities, we feel, should not be considered only from the humanitarian point of view. Its economic considerations cannot be ignored and have also got to be realised.

4.14. Testifying before the Committee some employers have gone to the extent of saying that the provision of minimum welfare amenities to workers is as necessary as oiling, repairing and maintenance of machinery. Others have said that minimum amenities in the present situation are as important to workers as minimum wages. It is, therefore, clear that even the employers recognise the economic advantage of the provision of minimum welfare amenities.

4.15. Now comes the question as to what items should be included in the sphere of minimum welfare amenities. To spell out these items is no easy task, specially in view of a large variety of industries, and units in the same industry, in a country like that of ours. Climate, terrain, customs and traditions of workers in different regions add further to the problem. The situation has been rendered still more complicated in view of the progressive economic and social policies of the State. This has created a climate where expectations of the common man, to achieve a higher standard of living and material well-being are continuously shifting towards a higher pitch. Realising all these difficulties the Committee invited the views of the State Governments, Public Sector Undertakings, Private Employers, Workers' Organisations and eminent persons in the field of labour.

4.16. As expected mixed reactions and views have been received from the parties in the matter. Some have stated that in the case of organised industrial establishments the minimum has already been laid down in the existing statutes and it should be effectively implemented. The others have, however, spelt out as to what should normally be the basic minimum available to all workers, irrespective of the size of the establishment, in which they are employed. These views are discussed in the subsequent paragraphs.

4.17. Some of the State Governments have suggested that minimum welfare should include amenities like first-aid, sanitation, hygiene facilities, rest facilities, canteen or tea shops, creche (if women workers are employed), housing for 50% of the workers, drinking water facilities, lighting arrangements and urinals, etc. These facilities should be provided by every industrial establishment irrespective of its economic position, and nature of organisation. A few State Governments have also favoured the inclusion of family planning advice, free and compulsory education for workers' children, adult education, vocational training, recreational and transport arrangements for workers to and from the place of work. In a nutshell they have said that such labour welfare amenities should be considered as minimum for workers and their families as ensure their physical and mental preparedness for work. For this surroundings, both at the residence and work-place of the worker should be healthy and congenial and help in the psychological satisfaction of the workers.

4.18. The sum and substance of the views received from public sector undertakings is that minimum should consist of such amenities as would be necessary for ensuring and maintaining proper morale of industrial workers. They have thus suggested that provisions of health, safety and welfare of workers, as already laid down in different Acts, may be considered as minimum. Old age benefits namely the Provident Fund-cum-Gratuity Schemes should be applicable to all permanent employees.

4.19. To lay down a basic minimum of welfare amenities would be an ideal for all the industries. If, however, the economic position or nature of organisation of a unit is such that it cannot provide these facilities exemptions can be granted to that unit for a specified period of time after the inspection authorities have verified and are satisfied with the prevailing economic conditions of the industry.

4.20. By and large the private employers' organisations and managements have maintained the line that whatever has already been provided in the existing legislation as welfare measures is quite adequate and there is no need for providing further amenities to workers. There is thus no justification for laying down any basic minimum of welfare amenities. Some have, however, stated that basic minimum in respect of health, sanitation and safety are necessary for organised sector. Where machines are employed the safety requirements should be necessarily prescribed irrespective of the size of the establishment. There are others who have said that welfare amenities should be developed in accordance with the tastes and requirements of workmen, their social status, standards of education, habits and customs, climatic conditions, location of factories and cultural background etc. The basic amenities will thus differ from industry to industry. It has also been argued that provision for health, education and welfare of the citizens, including that of indus-

trial workers, are laid down in the Directive Principles of State Policy and deserve implementation through public Exchequer. Any attempt to diffuse or dilute this responsibility should not normally be encouraged. Production oriented approach of the employer should not be burdened with extra financial liabilities. The hygiene and sanitary provisions are enough and the other basic minimum of welfare amenities should not be prescribed.

4.21. It has also been stated that in these days of increased emphasis on the welfare of citizens it is logical that Government should be keen to provide some minimum of welfare amenities to workers as well. But the paying and development stage of the industry concerned should be kept in view before fixing any norm.

4.22. The workers' organisations, quite logically, would expect more and more amenities to be included in the basic minimum. According to the suggestions received from these organisations the basic minimum standard of welfare amenities in all industries should include housing, water supply, medical, educational and recreational facilities. It should also include good working conditions free from dust and excessive heat, drinking water at work sites and residential quarters, adequate bathing facilities, with soap and oil, subsidised canteens, adequate rest and tiffin shed and creche (where women workers are employed). The minimum welfare facilities should be compulsory at the place of work whereas the other facilities can be linked with capacity to pay. In the case of public sector undertakings the facilities should be provided on a higher scale. Some have suggested that the definition given in the Report² of the Labour Investigation Committee is more appropriate in Indian conditions and should be adopted. Anything done for improvement of intellectual, physical, moral and economic conditions of the workers should be included in the minimum welfare amenities.

4.23. The conditions of work inside the factories have been changing fast due to advancement of technology and competition. Outside the workplace the increasing need for promotion of worker's personal and social well-being has to be recognised progressively. He has to be provided with adequate services and amenities to make up for mental and emotional stress and also to fill up the socio-cultural lags. Organisation of sports and games, provision of medical and health facilities, including family planning and counselling services, proper arrangements for educational amenities, encouragement for adult and social education and last, though not the least, provision of housing facilities should be considered as part and parcel of basic and essential welfare amenities. These amenities may, however, be provided according to varying degrees and on a progressive scale keeping in view the needs of the workers and the capacity of the industry to pay.

4.24. As for the plantation workers, the Committee does not propose to lay down any standards

2. For our part, we prefer to include under welfare activities anything done for the intellectual, physical, moral and economic betterment of the workers, whether by employers, by Government or by other agencies, over and above what is laid down by law or what is normally expected as part of the contractual benefits for which the workers may have bargained. Thus, under this definition, we may include housing, medical and educational facilities, nutrition (including provision of canteens), facilities for rest and recreation, cooperative societies, day nurseries and creches, provision of sanitary accommodation, holidays with pay, social insurance measures undertaken, sickness and maternity benefit schemes, Provident Funds, Gratuities and Pensions, etc.

except those which have already been included in the Plantations Labour Act, 1951.

4.25. Keeping in view the hazardous nature of the mining industry and location of mining establishments, the Committee considers that provision of health, medical and family planning, housing, educational facilities, canteen, recreational facilities, creche and consumer cooperative stores are the minimum that should be ensured for the workers of this industry.

4.26. Provision of welfare amenities for agricultural and rural labour is a new field which had so far not been assigned to any Committee appointed specifically for this purpose. One of our terms of reference is to suggest welfare measures for this class of labour. Being a pioneering field for us we consider that a humble start only should be made for the provision of basic minimum welfare amenities in this case. After considerable deliberations, and within the limited data available with the Committee on this subject, we feel that supply of drinking water facilities, provision of medical and health facility including family planning, supply of protective equipment to ensure safety, provision of house sites free of cost and cheap houses on easy instalments or houses on nominal rent, free educational facilities for the children of landless labour and rest shelters at work-

place should be considered sufficient to form a base for the welfare amenities to agricultural and rural labour.

4.27. All the basic welfare amenities referred in these paragraphs have been dealt with in detail in different parts of the report dealing with the industries.

4.28. The vast divergence of opinion, received by us on the fundamental subject of laying down a base for minimum welfare amenities, was not unexpected. Reconciliation of the divergence of opinions, springing from divergent interests, is one of the essential tasks of a tripartite Committee. The pace of development in the field of science and technology is rapid. The social, psychological and economic situation is changing fast. The needs of workers, employers, management skills and many inter-related factors are part of general process of change. At a given time it may be difficult to stipulate minima or optima. The Committee is conscious that their recommendations may be considered by some falling too short of expectation and by others far more than requirements. There is no doubt emphasis in future will be on gradually improving facilities for men and women workers who are essentially contributors of development and progress.



INTRODUCTION

Importance of Factory Establishments

II(1). The manufacturing sector occupies an important place in the national economy of our country. The data relating to the contribution of large scale as well as small scale manufacturing sectors in terms of national income are given in the following table.

TABLE I

(Rupees in crores)

	Contribution of manufacturing industries to national income		Net domestic product (at factory cost)	Percentage of columns 2 & 3 to column 4
	Large scale	Small scale		
	Current	prices		
1	2	3	4	5
1960-61	1,070	785	13,525	13.72
1961-62	1177	863	14,413	14.15
1962-63	1,300	937	15,287	14.56
1963-64	1,519	1,091	17,679	14.77
1964-65	1,700	1,185	20,572	14.02
1965-66	1,855	1,225	21,228	14.51
1966-67	2,051	1327	24,389	13.85

It would be seen from the table that the share of the manufacturing sector as a whole towards national income has been steadily increasing except during the year 1966-67. The decline in 1966-67 was mainly owing to the unsettling effect that recession had on national economy.

Growth of Factory Establishments and their Employment.

II(2). According to the statistics available the number of factories in 1892 (when factory statistics were first compiled) was 656 and the number of workers employed therein was about 3.17 lakhs. The Royal Commission in its report in 1929 had estimated that the number of perennial factories was in the neighbourhood of 3500 and the number of workers employed therein was about a million and a quarter.

II(3). The Commission in its report divided the then existing perennial factories into three categories, viz. (i) cotton textiles, (ii) jute mills and (iii) other factories. The other factories, inter alia, included engineering and metals, paper mills, cigarette factories, woollen mills, tanneries, printing industry and match factories. The Commission also detailed the important characteristics of work in the leading groups of seasonal¹ factories. The seasonal factories, inter alia, included cotton ginning and pressing, jute pressing, rice mills, oil mills, gur and sugar factories etc.

II(4). The industrial development received further impetus and by 1939 the number of factories and workers employed therein had increased to 10,466 units and 1.75 million workers respectively. While in 1944 the corresponding figures stood at 13,209 and 2.44 million respectively. The Second World War further contributed substantially to India's industrial development. The present position in regard to the number of factories covered under the Factories Act and the average daily number of workers employed therein can be had from the table given below :—

TABLE II

(Employment in thousands)

Year	Number of working factories.	Estimated average daily employment in working factories.
		Rs.
1960	48,038	3,764
1961	50,095	3,918
1962	54,370	4,111
1963	57,526	4,374
1964	60,602	4,616
1965	63,571	4,730
1966 (P)	64,516 (E)	4,687 (E)

1. Source.—Central Statistical Organisation.

2. Excluding factories dealing with agricultural products in the raw state, factories which work for part of the year only factories not using mechanical power or using power but employing less than 20 persons.

3. Those factories mainly employing power machinery, open for a part of the year only, concerned for the most part with the handling of a particular crop as it becomes available.

4. Source.—Indian Labour Statistics.

P stands for provisional.

E stands for Estimated.

It would be seen from the above table that there has been a substantial increase in the number of factories from 1960 onwards. In 1960, the number of working factories was 48,038 while in 1966 the corresponding figure was 64,516. Thus, the percentage increase was about 26.

II(5). Simultaneously, the number of workers also increased from 3.76 million in 1960 to 4.69 million in 1966.

The employment data and number of working factories given above relate to establishments which are covered under the Factories Act, 1948. Apart from this, there are a large number of factory workers who fall outside the purview of the Act, although the magnitude of such workers is precisely not known but their number seems to be quite high. The welfare problems of this category of workers and their administration have been dealt in detail elsewhere in this Report.

Growth of Public Sector.

II(6). Another notable development which has taken place in the industrial field is the emergence of public sector. The Government of India announced its Industrial Policy in 1948. This was subsequently revised by adopting a new Industrial Policy Resolution in 1956. According to this Resolution the industries were divided into three categories on the basis of State participation in them. In the first category (i.e. in Schedule 'A')⁵ are listed 17 industries including coal, iron and steel, mineral oils, some sections of heavy general and electrical engineering industries and some transport industries in which the future development will be the exclusive responsibility of the State. In the second category (in Schedule 'B')⁶ are covered about a dozen industries including machine tools, aluminium, antibiotics, fertilizers in which both public and private enterprises will exist side by side but which will be progressively State owned and in which the State will, therefore, generally take the initiative in establishing new undertakings. The remaining industries such as cotton textile, cement, sugar etc., have been placed in the third category in which future development will, in general, be left to the initiative and enterprise of the private sector but the State will also have the right to set up industries in this category.

II(7). Since the beginning of Second Five Year Plan State participation in industrialisation has progressively increased. The progress made by the public sector in the field of industrialisation can be seen from the table below:

TABLE III

Year	Number of working factories in public sector	Estimated average daily employment in working factories. ('000)
1	2	3
1960	2,220	540
1961	2,382	584
1962	2,609	640
1963	2,737	724
1964	2,949	783
1965	3,165	847
1966 (P)	3,245 (E)	895 (E)

It would be seen from the above table that the number of factories in the public sector increased from 2,220 in 1960 to 3,245 in 1966 (or 32 per cent). Also the average daily employment in the working factories in the public sector increased from 5.4 lakhs in 1960 to 8.95 lakhs in 1966 (or 60 per cent).

II(8). The industries in the public sector listed earlier are only illustrative and not exhaustive. Many more new industries are being set up under the control of State side by side with the private sector, such as iron and steel, ship building and repairing, aircrafts manufacturing and repairing, railway coaches and locomotives, heavy engineering and heavy electricals, fertilizers, petro-chemicals and machine tools etc.

Investment in Organised Industries.

II(9). The State participation in industrialisation has called for huge investment on the part of the Government. The available data on investments relating to organised industries including

(5) In Schedule A are included : (1) Arms and ammunition and allied items of defence equipment; (2) Atomic energy; (3) Iron and Steel; (4) Heavy castings and forgings of iron and steel; (5) Heavy plant and machinery required for iron and steel production, for mining, for machine tool manufacture and for such other basic industries as may be specified by the Central Government; (6) Heavy electrical plant including large hydraulic and steam turbines; (7) Coal and lignite; (8) Mineral oils; (9) Mining and iron ore, manganese ore, chrome ore, gypsum, sulphur, gold and diamond; (10) Mining and processing of copper, lead, zinc, tin, molybdenum and wolfram; (11) Minerals specified in the Schedule to the Atomic Energy (Control of Production and Use) Order, 1953; (12) Aircraft; (13) Air transport; (14) Railway transport; (15) Shipbuilding; (16) Telephones and telephone cables, telegraph and wireless apparatus (excluding radio receiving sets); and (17) Generation and distribution of electricity.

(6) In Schedule B are included : (1) All other minerals except "minor minerals" as defined in Section 3 of the Minerals Concession Rules, 1949; (2) Aluminium and other non-ferrous metal; not included in Schedule 'A'; (3) Machine tools; (4) Ferro alloys and tool steels; (5) Basic and intermediate products required by chemical industries such as the manufacture of drugs, dyestuffs and plastics; (6) Antibiotics and other essential drugs; (7) Fertilizers; (8) Synthetic rubber; (9) Carbonisation of Coal; (10) Chemical pulp; (11) Road Transport; and (12) Sea Transport.

(7) Source—Indian Labour Statistics.

minerals, in the public and the private sectors during the various plans are given below :—

TABLE IV

(Rupees in Crores)

Plans	Public Sector	Private Sector	Total
1st Plan*	..	..	..
2nd Plan	870	675	1,545
3rd Plan	1,520	1,050	2,570
4th Plan (E)	3,936	2,350	6,286

II(10) It would be seen from the foregoing paragraphs that the industrial structure has grown in volume as well as in nature and pattern. With the development of science and technology, new and sophisticated industries—such as petro-chemicals, electronics, machine tools, precision instruments, pharmaceuticals, electrical and mechanical goods—have also come into being along with the development in traditional industries. These industries, being more capital-oriented, require higher skill and training. This has necessitated the recruitment of workers who have necessary educational and technical background. Being literate, the workers have also grown more conscious of their rights and comforts both at work-place as well as outside the work-place.

II(11) In recent years, the structure of management has also undergone a perceptible change. Considerable attention is now being paid by the managements to personnel problems and to finding out solutions arising out of these problems. This has given a new dimension to the man-management relations.

II(12) With the growth of sophisticated machinery and techniques and with the recruitment of labour more conscious of its rights growth of trade unions has also been phenomenal especially since independence. These trade unions have started taking active interest in the formulation and implementation of socio-economic policies. This too has necessitated a further look into the welfare amenities available to workers in factory establishments.

II(13) The political changes that have taken place in the country since independence, and the policies aimed at economic upliftment have thrown new challenges in the field of providing welfare amenities to the industrial workers who are directly involved in the process of national development and in the creation of national wealth. Their participation in the process of socio-economic problems of the country has given rise to higher expectations in their standards of living. It is against the background of these developments that we have attempted to review in the succeeding chapters the adequacy or otherwise of the existing welfare amenities for industrial workers.

Scope and Coverage of Factories Act, 1948.

II(14) The Factories Act 1948 applies to any premises including the precincts thereof where 10 or more persons are employed with aid of power or wherein 20 or more workers are working without the aid of power. However, section 85 of the Act empowers the State Governments to extend all or any provision of the Act to any premises :

- (i) the number of persons employed therein is less than 10, if working with the aid of power and less than 20 if working without the aid of power, or
- (ii) the persons working therein are not employed by the owner thereof but are working with the permission of, or under agreement with, such owner provided that the manufacturing process is not being carried on by the owner only with the aid of his family.

Welfare Provisions in the Factories Act, 1948.

II(15) Chapter III of the Act prescribes measures to safeguard the health of factory workers with a view to ensuring that conditions of work, as far as possible, do not adversely affect their health. These relate mainly to cleanliness, disposal of wastes and effluents, ventilation, control of temperature, elimination of dust and fumes, artificial humidification, over-crowding, lighting, drinking water facilities, latrines, urinals and spittoons. Provisions relating to welfare facilities to be provided for workers are contained in Chapter V of the Act. These cover such items as washing facilities, facilities for storing and drying clothes, facilities for sitting, rest shelters, first-aid appliances, canteens, lunch rooms and creches. Factories employing 500 or more workers are required to appoint labour welfare officers to look after the welfare of workers. The State Governments are empowered to prescribe the duties, qualifications and service conditions of these officers and also to order the management(s) of any factory or class of factories to associate the representatives of employees in the proper management of welfare facilities. The factory establishments covered under the Factories Act 1948 are statutorily required to provide all the above welfare facilities. In addition to the above welfare measures the factories are required to provide canteens (in case of factories employing over 250 workers), shelters, rest rooms and lunch rooms (in case of factories employing over 150 workers) creches (in case of factories employing more than 50 women workers) and ambulance rooms (in case of factories employing over 500 workers). Thus it would appear from the above that certain common welfare amenities such as lighting, ventilation, washing and bathing, first-aid applies etc., being statutory, are provided by all factories whereas special amenities like canteens, creches, ambulance rooms etc., are provided in such of the factories as employ a specified number of workers.

II(16) The welfare amenities provided outside the workplace are generally non-statutory in nature and include housing recreation, medical transport facilities etc. Medical facilities are also partly statutory though under a separate enactment namely the Employees' State Insurance Act, 1948.

NOTE.—*The break up of investment in First Plan is not available.

E—Envisaged.

Source.—Third Five Year Plan p. 59 and Fourth Five Year Plan, A draft Outline, page 42.

CHAPTER V

HEALTH AND MEDICAL FACILITIES FOR FACTORY WORKERS

Introduction

5.1. Medical care and health facilities for industrial workers form an integral part of labour welfare programme in all the countries of the world. This facility not only provides protection against sickness but also ensures availability of a physically fit and stable man-power for economic development.

5.2. The term 'health' implies more than an absence of sickness and is an important factor in determining the productivity of workers. Expenditure on medical facilities is a gilt-edged investment which yields immediate return, if not through increased productivity, at least through reduction in absenteeism on grounds of sickness or ill-health. Provision of adequate health and medical facilities need not, therefore, be over-emphasised.

5.3. Lot of thinking has gone into the provision of proper medical and health facilities for industrial workers both in the country as also at the international level. Way back in 1927, the International Labour Organisation adopted a Convention (No. 25) concerning Sickness Insurance (industry). This Convention lays certain principles which entitle an insured person, a certain amount of facilities in the shape of medical treatment and cash benefits, when a worker is rendered incapable of work by reason of the abnormal state of bodily and mental health. Simultaneously with this Convention, the Organisation also adopted a Recommendation (No. 29) relating to general principles concerning sickness insurance.

5.4. Problems relating to medical care also attracted the attention of the I.L.O. in its 26th session held at Philadelphia in April 1944, when the Philadelphia Declaration regarding rights of workers was also adopted. In this session, the Organisation adopted a Recommendation (No. 69), which laid down certain norms of medical care. The relevant extracts from the Recommendation read thus: "The medical care service should aim at providing the highest possible standard of care, due regard being paid to the importance of the doctor-patient relationship and the professional and personal responsibility of the doctor, while safeguarding both the interests of the beneficiaries and those of the professions participating."

5.5. In October 1943, the Government of India appointed a high-powered committee, with Sir Joseph Bhore as its chairman, to lay down the broad objectives of medical and health care in the country. Known as Health Survey and Development Committee, it observed that "the health programme must, from the beginning, lay special emphasis on preventive work. The creation and maintenance of as healthy an environment as possible in the homes of the people as well as in all places where they congregate for work, amusement or recreation are essential. So long as environmental hygiene is neglected, so long as the faulty modes of life of the individual and of the community remain uncorrected, so long as these

and other factors weakening man's power of resistance and increasing his susceptibility to disease are allowed to operate unchecked, so long will our towns and villages continue to be factories for the supply of cases to our hospitals and dispensaries".

5.6. That the role of medical and health care should not only be confined to curative aspect has also been well recognised. In the preparatory Asian Regional Conference of the International Labour Organisation held in New Delhi in 1947, it was conceded that "in any scheme for medical care, in any Asian country the need for the prevention of disease and the improvement of the general standard of health must be considered as of the utmost importance. Much of the existing illhealth is due to poor nutrition and to disease like malaria which can be prevented. Any proposals which neglect these factors and devote an undue share of money, energy and skill to dealing with the treatment of illness alone, are attempting to deal with the problem from the wrong end. Improvements in the environment of the worker, by sanitation, water supplies and, where necessary and practicable, anti-malarial work are of paramount importance, whether the worker is in a large city or in a remote village".¹

5.7. In its 35th session held in June, 1952, the International Labour Organisation adopted another Convention (No. 103) known as Maternity Protection Convention (Revised) 1952. The Convention entitles a woman worker to a period of maternity leave, cash and medical benefits and interruptions at prescribed time or times for nursing her child. In June 1953, the Organisation adopted a Recommendation (No. 97) concerning the Protection of the Health of Workers in Places of Employment. The Recommendation laid down that employment for occupations involving special risk to the health of workers should be conditional upon (a) medical examination shortly before or after the worker enters employment and (b) periodical medical examination.

5.8. The International Labour Organisation adopted yet another Recommendation (No. 112) in June 1959, concerning Occupational Health Services. The Recommendation envisages that 'occupational health services' should be established in or near a place of employment for 'the purpose of (i) protecting the workers against any health hazard arising out of work or conditions in which it is carried on, (ii) contributing towards the workers' physical and mental adjustment and (iii) contributing to establishment and maintenance of the highest possible degree of physical and mental well-being of the workers. The Organisation also expressed its concern regarding increased hazards resulting from radiation processes, consequent upon fast changes in industrial technology. Thus, in June, 1960, it adopted a Recommendation (No. 114) and Convention (No. 115) concerning the Protection of Workers against Ionising Radiation. The Convention applies to all activities

1. Page 216 of the Record of Proceedings of the Preparatory Asian Regional Conference of the ILO, New Delhi—October–November, 1947.

involving exposure of workers to ionising radiation in the course of their work. The Recommendation supplements the Convention by suggesting some protective measures against ionising radiations and urges upon member countries to undertake suitable steps, legal or otherwise, to ensure protection of workers engaged in such processes.

5.9. It is in the context of above cardinal principles evolved with regard to medical and health care both inside and outside work-place that we have tried to evaluate in this Chapter, the adequacy or otherwise of the medical and health care services available to factory workers.

I—HEALTH AND MEDICAL FACILITIES INSIDE FACTORY PREMISES

5.10. Chapter 3 of the Factories Act, 1934 provided for cleanliness, ventilation, artificial humidification, cooling arrangements, steps against overcrowding, lighting, drinking water arrangements, latrines and urinals, etc. This Act was repealed by a more comprehensive enactment in 1948. The latest Act lays down comprehensive instructions to be followed by the occupier of a factory in providing necessary standards in cleanliness, disposal of wastes and effluents, proper working within the factory establishments, reasonable conditions of comfort and prevent injury to health, precautions to be taken against injuries effects of dust and fumes on the health of workers, ventilation and maintenance of temperature, which will secure workers, measures for providing artificial humidification, prevention of overcrowding in a factory to the extent it is injurious to the workers employed therein, maintenance of sufficient and suitable lighting, natural or artificial, or both, effective arrangements for providing and maintaining at suitable points conveniently situated for all workers employed in a factory sufficient supply of wholesome drinking water, sufficient number of latrines and urinals, separately both for male and female workers and spittoons.

5.11. Besides these amenities, which have a direct bearing on the prevention of injurious effect on the health of workers inside factory establishments, the Act provides for some more amenities which are in the nature of preventive care against infection and injurious effects of fatigue and loss of energy. These are washing facilities, facilities for storing and drying clothings, facilities for sitting, first-aid appliances and rest shelters.

5.12. There is enough justification for providing these seemingly necessary needs as statutory obligations on the factory occupiers, if the observations of the Royal Commission on Labour and the report of the Labour Investigation Committee are any guides in the matter. It can perhaps hardly be denied that no emphasis is necessary for providing basic amenities like latrines, urinals, drinking water facilities and rest shelters.

5.13. The Royal Commission on Labour and the Labour Investigation Committee investigated in great detail medical health and care facilities obtainable then in factory establishments for industrial workers. Both the Commission and the Committee emphasised the need for provision of basic minimum welfare amenities such as cool and pure drinking water, adequate arrangements for washing and bathing facilities, provision of sufficient

number of latrines and urinals and their proper maintenance etc. They emphasised the fact that the provision of such basic welfare amenities inside the workplace should be made statutorily binding on the employers. The Labour Investigation Committee further stressed that the employers should not only try to meet the letter of the law but also the spirit of it. Provision of these amenities alone was not enough. Their maintenance was equally important so that workers could make effective use of those amenities.

5.14. Since the observations made by these two important investigating bodies there has been considerable improvement in the provision of medical and health amenities for industrial workers. The Committee has, however, not been able to conduct any survey, even on random sampling basis, for a variety of reasons. The observation visits paid by the Committee to a few selected industrial undertakings can not also be considered as representative enough to pass judgment as to whether the amenities statutorily provided are being implemented both in letter and spirit or are being ignored.

5.15. We, therefore, requested the State Governments to set up special Study Teams or Sub-Committees, as they would like to call them, to make a study of the selected and representative establishments for evaluating the implementation of the statutory provisions of the Factories Act.

5.16. The Government of Andhra Pradesh have stated that the implementation of the various statutory welfare provisions in the factory establishments is by and large satisfactory. Most of the managements have now a progressive outlook and there is also co-operation in complying with the statutory welfare provisions. Generally there is no tendency on the part of managements to wilfully challenge the provisions of the law. There are some delays in certain cases due to various reasons and in such cases also compliance is ultimately ensured by constant persuasion. Many factories in the co-operative sector are, however, not in a position to implement statutory welfare provisions satisfactorily in the initial stages.

5.17. The State of Assam does not have many factories. However, according to the Sub-Committee appointed by this State Government statutory welfare provisions are by and large being implemented in spirit though not always in letter.

5.18. The Sub-Committee appointed by the Bihar Government has also said that the provisions of the Factories Act relating to welfare facilities are being implemented in different factories of the State by and large both in letter and in spirit. There are cases of non-implementation or partial implementation of certain provisions in certain factories. But there is no specific provision as such which is not being implemented.

5.19. According to the findings of the Government of Gujarat the amenities under discussion in this chapter have been provided with few exceptions. In very small old factories, the provision of washing facilities has been met only by way of taps on stands only. In small factories, first aid boxes are not always kept in the charge of a trained person. Attempts are being made by the inspectors to induce concerned managements to send responsible persons for training in first aid treatment so

that they can attend to injuries, if any, received by workers.

5.20. According to the Sub-Committee constituted by the Government of Haryana, statutory welfare provisions are implemented satisfactorily in bigger units. The smaller units try to implement the provisions but they face some difficulties because of meagre financial resources and lack of education. The success of implementation of these provisions in the case of smaller units is, therefore, unsatisfactory. Trained persons for first aid treatment are not being kept in these units. Similarly facility for storing and drying of clothes is not available. It is desirable to have modifications in section 92 of the Factories Act for providing minimum punishment for these basic violations of the Act. Where first aid boxes are not provided or are found in incomplete condition, a minimum fine of Rs. 25 should be prescribed. In case of subsequent violations, a fine of Rs. 10 per day should be imposed. Such factories as are found violating the provisions of washing facilities should be imposed a minimum fine of Rs. 25. A minimum fine of Rs. 50 should be provided in the Act for not providing facility for storing and drying of clothes. This will have a salutary effect upon the factories which possess sufficient accommodation but still do not provide this important facility.

5.21. The Government of Tamil Nadu did not consider it necessary to constitute a Sub-Committee or Study Team to make a study of the selected and representative establishments. Based on the reports of their inspection machinery it has, however, stated that there may be a few lapses here and there like non-provision of drinking water in required quantity or at the required place, or required cleanliness, non-provision of safety guards in some factories as per standards, non-provision of adequate lighting or ventilation in a few places. These are, however, being tackled by the inspectors of factories during the course of their inspections to ensure that they are ultimately implemented. By and large, statutory welfare provisions have been implemented both in letter and spirit. There may, no doubt, be a few exceptions but they are being tackled appropriately by persuasive as well as coercive means to bring them also ultimately within the four corners of law. As for the provision of rest shelters or lunch rooms, that Government have stated that under the existing provisions, only factories employing more than 150 workers are required to provide suitable rest rooms or lunch rooms to enable the workers to take their meals brought by them. This deprives many of the workers in the large number of factories employing less than this number of the essential necessity for a rest room or lunch room. While the State Government can take note of difficulties such as want of space but at least a small room even in small factories is absolutely necessary and the minimum number prescribed namely 150 may, therefore, be deleted.

5.22. The Sub-Committee appointed by the Government of Madhya Pradesh has come to the conclusion that though by and large the above provisions are being implemented, there is still scope for improvement and the inspectorate could be strengthened to conduct more frequent inspections if both the employers and the employees had better appreciation of the spirit of these provisions.

5.23. The Study Team of the Government of Orissa has observed that by and large statutory wel-

fare provisions are being implemented more in letter than in spirit. The employers have not made adequate provisions in respect of shelter, washing and drinking water facilities for workers. The existing provisions in the Factories Act and rules regarding punitive measures should be more deterrent. It is necessary to lay down minimum penalty for violation of such provisions and a procedure for quick disposal of such cases should be made in the rules if the spirit of these essential provisions has to be fulfilled.

5.24. Based on the observations of the Labour Commissioner, Punjab, the Government of that State have come to the conclusion that rest shelters/rest rooms and washing facilities are being provided in all such establishments as are required to do so. Only in the case of first aid boxes, fully trained staff is not engaged in many cases.

5.25. The Study Team constituted by the Government of Rajasthan also discussed adequacy or otherwise and the state of implementation of the above provisions both with the employers and workers as well. It would be interesting to record views of these parties in this chapter. The employers' representatives have stated that washing facilities are provided by them but the same are misused by the workers. They are, therefore, not able to maintain these facilities. There is genuine difficulty regarding supply of water in latrines when the same is not received from the public supply system. When the ambulance room is provided within a specified distance of the workplace, the provisions of first aid boxes may be relaxed; such boxes should, however, be handled by trained persons. The workers' representatives have asked for an ambulance van where more than 500 workers are employed in a factory. In factories employing less than 500 workers, employers' car should be available for removing a patient in case of accident. Rest shelters should not be available only for taking meals during the interval for rest but should also be open to a worker otherwise, so that a shift worker may take shelter in the same before and after the shift. The Study Team has stated that washing facilities are generally provided but are not maintained and kept in good condition. A small welfare committee of employees' representatives with the chairman to be nominated by the manager in each unit should be formed to see that the welfare facilities once provided by the employers are maintained properly. The management should earmark a specific amount for the maintenance of these facilities which should be spent on the advice of the committee. The prescribed medicines are not generally stocked in the first aid boxes and these boxes are not kept under the charge of trained persons. In the case of ambulance room with the equipment being provided within 100 metres of the walking distance of a workplace, the maintenance of first aid boxes in such areas may be waived. The main object of a shelter and rest room is that the worker may take shelter or rest before his working hours. In case of the workers coming from a distant place, particularly during night shifts, there should be a place provided by the employer where they can come and take rest before their duty hours start. Such a provision does not exist but it is highly desirable. These rest shelters should be outside the work-place, preferably near the main gate where the workers may come before working hours. The employers have genuine difficulties in some cases, particularly in maintaining the amenities. There should be a provision that a joint

committee of workers 'and employers' representatives should look after their proper maintenance. The management may earmark a specific amount required for the maintenance of the welfare facilities which should be spent on the advice of the committee.

5.26. The findings of the Government of Uttar Pradesh lead to the conclusion that welfare provisions are generally being implemented though violations of these provisions have come to the notice of the Government now and then for which either the attention of the factories has been drawn or recourse to legal action taken.

5.27. The Sub-Committee constituted by West Bengal has said that by and large welfare provisions of the Factories Act and the rules framed thereunder are being implemented in letter by majority of factory managements. The provisions of sections 92 and 94 of the Act be so amended as to lay down a minimum fine for default in the implementation of the statutory obligations.

5.28. The Sub-Committee constituted by the Union Territory of Delhi has observed that in majority of the big factories employing more than 250 workmen, provisions relating to rest shelters, latrines, baths, spittoons and drinking water facilities are being implemented both in letter and in spirit. In a few of them, these provisions are not being implemented due to rapid increase in number of workmen, the limited space and restrictions imposed for covered and un-covered areas by the local bodies. In some of the factories, urinals, latrines and rest shelters are provided but not as per scales laid down under the Factories Act. The reason for this non-implementation is mainly due to shortage of space and difficulty in obtaining permission for addition or alteration from the municipal corporation.

5.29. The Committee constituted by the Union Territory of Pondicherry has stated that some of the managements of manufacturing industries generally implement these statutory provisions both in letter and in spirit. Some others are willing to implement the provisions but for their financial instability they cannot do so. The Factories Act has been introduced only a few years back and the managements are faced with a difficulty of finding funds for providing all these facilities altogether. Section 92 of the Act may, however, prescribe in detail fines and also the amount of fines to be imposed for each default of every amenity. Enhancement of fines would make implementation more effective. In other Union Territories, the number of manufacturing establishments is either too small to warrant any survey of the implementation of statutory provisions or it is generally said to be satisfactory.

5.30. That the environments of a work-place, with adequate and efficient provisions for basic minimum services to minimize the impact of physical and mental fatigue on a worker which are correlated with each other, has by now been established as an accepted practice in all industrialised countries of the world. The improvements in the provisions of adequate ventilation and lighting, availability of cool wholesome drinking water, bathing and washing facilities to a tired body smeared with dust and oil of the machine, of which the worker is a cog, maintenance of tolerable standards of sanitation and hygiene with allied facilities for drying and

change of clothes, has been a matter of continuous research at the hands of experts connected with industrial hygiene. The provisions in the Factories Act are the outcome of regular processes of research commencing from the earlier enactments of factory legislation. We strongly feel that there is no reason as to why any particular factory establishment falling within the ambit of Factories Act should not now be able to fulfil these basic statutory obligations but for a few exceptions for genuine reasons and for a limited period.

5.31. We, therefore, recommend that the above mentioned facilities, provided statutorily, should be in accordance with the standards laid down under the Factories Act, 1948 and also be enforced strictly. The Committee further recommends that in case of non-compliance with the provision of such facilities deterrent punishment should be imposed on defaulters.

5.32. Besides keeping in view the basic importance and utility of the first aid appliances and maintenance of an ambulance room not only for the purposes of giving first aid to the workers in the event of emergency but also for reducing unnecessary waste of time of the workers, which may also hinder production, some improvements are necessary in the existing provisions with regard to these two amenities. Maintenance of a first aid box for every factory employing 150 workers is a minimum 'must' which cannot be allowed to be ignored by any occupier of a factory establishment. The purpose of this amenity is defeated if the first aid box is not fully equipped and is also not handled by persons trained in first aid. This is a provision which is not generally taken seriously although the utility of it can hardly be minimized or considered superfluous. It may not be a wilful neglect of this amenity; it may be due to lack of interest on the part of some employers for more than one reasons namely E.S.I. dispensaries are close-by, civil hospital is near at hand or in the case of major factories, ambulance room being there, no first aid box is perhaps necessary. It is also at times said that workers do not make use of it. Whatever be the reasons, the Committee feels that this provision should be enforced strictly and sufficient number of personnel be trained in all the establishments in consultation and co-operation with the respective authorities and the trade unions.

5.33. Section 45(4) of the Factories Act lays down that in every factory where in more than 500 workers are employed, there shall be provided and maintained an ambulance room of the prescribed size, containing the prescribed equipment and in-charge of such medical and nursing staff as may be prescribed. The detailed rules of standards of medicines to be prescribed have been laid down by the Governments of Bihar, Punjab, Tamil Nadu, Mysore, Uttar Pradesh, Maharashtra, West Bengal, Madhya Pradesh and Kerala. Amongst the Union Territories, Delhi has also made detailed rules in the matter.

5.34. We feel that the limit of 500 workers was kept at a time when the country had only traditional and conventional industries which are more labour intensive like textile and sugar factories etc. With the progressive growth of capital intensive industries as well as development of hazardous nature of industries like petro-chemicals, automation and the use of nuclear energy in the near future, it is necessary that ambulance rooms should also be pro-

vided by establishments employing less than 500 workers. We, therefore, recommend that State Governments be empowered to prescribe the maintenance of an ambulance room even for establishments employing less than 500 workers where the nature of work is hazardous, in the entire working period especially in the case of capital intensive industries.

II—HEALTH AND MEDICAL FACILITIES OUTSIDE THE WORK-PLACE

5.35. In the preceding paragraphs, we have covered the need, utility, existing position and improvements that we consider necessary, with regard to health and medical facilities provided inside the place of work. This is not all for a variety of reasons. The medical and health facilities inside the work-place only provide limited health and hygiene facilities with a view to improving the environmental conditions at the place of work and to safeguard against any exigencies like minor accidents etc.

5.36. Health and medical care is a very wide term. It includes a spectrum of all such services as enable a worker give his best, mentally as well as physically, to the process of work in which he is engaged and also allow him to enjoy the fruit of his labour by keeping physically fit and mentally alert for leading a successful economic, social and emotional life.

5.37. The subject of medical and health care has been receiving considerable attention at the hands of many committees set up by the Central and State Governments from time to time. Most of these committees were, however, meant for the community at large and not specifically confined to the provision of medical and health care for industrial workers. Two important bodies, whose labours were confined to the field of, *inter alia*, surveying and recommending medical and health facilities for working population are the Royal Commission on Labour and the Labour Investigation Committee.

5.38. The Royal Commission on Labour noted that majority of industrial workers had migrated from villages. The new environments of urban settings had created for them unprecedented problems, e.g., absence of pleasures of family life, malnutrition, food adulteration in cities, over-crowding in sub-standard houses and various types of industrial hazards—all militating against the good physique and health of a worker—which he originally possessed when he migrated from the village. It was, therefore, essential that special measures were taken to guard against the dangers of all such factors as were adversely affecting the health of workers.

5.39. The Labour Investigation Committee also studied in great detail the medical and health care amenities provided to workers outside the work-place. It stated that although provision of such amenities was largely the function of municipal and local bodies, it was also the responsibility of employers partly to provide such facilities to their workers. The Committee, therefore, supported the move, then reported to be under the consideration of the Government of India, for a unified scheme of social insurance to provide medical and health care in respect of three contingencies—sickness, employment injury and child birth.

5.40. It was also revealed that the nature and extent of medical care provided to industrial

workers by some employers varied from region to region, from industry to industry in the same region and also from factory to factory in the same place. Some of the employers were very liberal in providing medical facilities of a considerable magnitude, on their own, without legislative compulsion. This shows that the employers had then realised that provision of good and sound medical facilities, either in kind or in cash—cash in the shape of reimbursement of medical expenditure to the workers to some extent—either on their own as ex-gratia as a result of a collective agreement or through the agency of private medical insurance schemes. It is, however, not possible to say precisely the efforts made on an all-India level by employers on the extent of amenities provided to workers to supplement the efforts of the State because no such survey was ever undertaken exclusively for industrial workers before Independence.

5.41. We now propose to cover the post-Independence period in some details in so far as provision of medical facilities outside work-place are concerned. These can broadly be divided into three categories :—

- (i) medical facilities extended through the Employees' State Insurance Scheme;
- (ii) facilities made available by the employers themselves; and
- (iii) facilities, though of a limited nature, extended through labour welfare centres either run by the Labour Departments of the State Governments/Union Territories or by the statutory labour welfare boards, wherever they exist.

5.42. The Committee does not propose to cover in detail the functioning of the Employees' State Insurance Corporation as such. The subject, however, has an important bearing on medical facilities being considered part and parcel of welfare amenities. We also feel ourselves duty bound to make a mention of the functioning of the facilities provided by the Corporation because the question was raised before the Committee in oral evidence in almost all the States and the Union Territories that we visited.

5.43. The Employees' State Insurance Scheme, as at present envisaged, extends five kinds of benefits to industrial workers. These are :

- (i) Maternity Benefit.
- (ii) Disablement Benefit.
- (iii) Dependents Benefit.
- (iv) Sickness Benefit.
- (v) Medical Benefit.

An insured person, who is entitled to benefits under this Scheme, is not eligible to claim similar benefits under the Workmen's Compensation Act or the State Acts relating to maternity benefits.

5.44. In addition to these benefits, miscellaneous benefits such as payment of conveyance charges or compensation for loss of wages to insured persons called to appear before a medical board or referee or hospital is made. Cash benefits are remitted through money-order at the cost of the Corporation. In addition, supply of spectacles on no-profit-no-loss basis and free of cost in case of impairment

of visions resulting from employment injury is also made. Similarly, supply of denture free of cost in case of loss of teeth due to employment injury is also provided.

Present position.

5.45. As on March 31, 1968, there were 16,762 factories employing 37 lakhs of workers in the country covered under the Employees' State Insurance Scheme. There are yet 1,758 factories employing more than 6 lakhs of workers still to be covered under the Scheme. The coverage of the Employees' State Insurance Scheme is already limited, namely it does not apply to such workers as are in receipt of wages exceeding Rs. 500/- per month. It is also not applicable to casual, badli and temporary workers. Seasonal factories are also outside its purview. The question of covering the contract labour by the Employees' State Insurance Scheme does not arise. It also does not cover such factory establishments as use power but employ less than 20 persons. The coverage, therefore, is already restricted considerably. We see no justification in not providing coverage to 6 lakhs of workers who are otherwise eligible to receive the benefits of the Scheme. There should be no non-implemented area under this Scheme now. The Employees' State Insurance Review Committee recognised all these deficiencies and also accepted the need to cover such establishments as employ 5 or more workers. We entirely agree with this observation of the Review Committee.

5.46. During its tours to various States and evidence tendered before it, the Committee was informed that the Scheme, especially the medical side of it, has not been functioning satisfactorily. The Employees' State Insurance Scheme is one of the biggest ventures in the field of social security adopted by any Asian country. It is, therefore, essential that the Scheme is not only extended but also administered well. The Committee, therefore, recommends that the functioning of the Scheme be streamlined and improved upon and that the basic recommendations of the Employees' State Insurance Review Committee implemented expeditiously.

5.47. In our tours, we also gathered an impression that the State Governments do not have adequate number of doctors to man Employees' State Insurance Corporation hospitals. There is a dearth of doctors both for general medical duties and for specialist treatment. The doctors drawn from the State cadre also do not feel attracted to serve in the Employees' State Insurance Corporation hospitals because of lack of incentives. At the same time they have to serve, according to impressions given to the Committee, under more difficult conditions of work. We feel that the position would considerably improve if the Employees' State Insurance Corporation sets up its own regular cadre of medical personnel. Once a special cadre comes into being, the officers of that cadre can get necessary orientation and training.

5.48. This should go a long way in improving the medical side of the Scheme which is generally criticised and which really affects the bulk of the insured persons and their families. Other benefits are not of a regular nature as compared to the general medical benefits. They are intermittent depending upon contingencies. If, therefore, a cadre is brought into being, attendant complaints like shortage of

drugs, lack of proper medical attention etc. would perhaps automatically vanish. We have, therefore, no hesitation in strongly reiterating that Employees' State Insurance Scheme should provide full medical care to insured workers. We also fully support the recommendations of the Review Committee and suggest that full medical care should be further strengthened by health care expeditiously.

5.49. To minimise criticism, which is perhaps inherent in the functioning of such a comprehensive Scheme embracing within its ambit a large mass of workers all over the country, it is essential that there is more co-operation between the State, regional and local committees and the official set-up of the Corporation. It is said that these committees have either not been formed or have not been functioning properly. There is every need to animate functioning of these committees. They alone will ensure effective co-operation between the Government, employers and the beneficiaries. We, therefore, recommend that in order to make Employees' State Insurance Scheme function more effectively, it is necessary that local and regional committees start functioning urgently wherever they are not already functioning.

Medical facilities provided by the employers.

5.50. Employers, whether in private or in public sector, have been paying adequate attention to the provision of sufficient medical facilities for their workers and their families much before the introduction of Employees' State Insurance Scheme. These employers have continued to provide medical facilities to their workers free of charge even though some of them now contribute to the Employees' State Insurance Scheme. At some places, the facilities provided are of such a high order that the workers, in their evidence before the Committee, pleaded that the medical facilities given to them should not be taken over by the Employees' State Insurance Corporation.

5.51. The workers in departmental undertakings are more or less governed by the medical rules applicable to Government servants or such other facilities, both indoor and outdoor, as those undertakings consider necessary keeping in view the nature of work that their employees perform. The mode and quantum of the medical facilities may differ from undertaking to undertaking depending upon the usage, conventions, and rules that have been brought into being from time to time. In any case, the medical facilities provided to them are, by and large, adequate and wherever some improvements are considered necessary by us they have been mentioned specifically in respect of those industries elsewhere in this report.

5.52. In the case of public sector undertakings, it has been a matter of rule that the provision of adequate indoor and outdoor medical facilities should form an integral part of the project plan itself. These undertakings have, by and large, provided suitably equipped first-aid centres, ambulance rooms and even regular hospitals either under the factory premises or inside their townships. The range of medical facilities provided by them is very wide and includes, besides general medical treatment and health care, arrangements for specialist treatment for diseases like T.B., cancer, leprosy as well as mental diseases. Here too the expenditure

on medical and health facilities differs from one undertaking to another and even in different undertakings of the same industry. To quote an example, the Hindustan Steel Limited controls Bhilai, Durgapur, Rourkela steel plants. The monthly per capita subsidy on medical and health facilities is Rs. 11.17 in Bhilai, Rs. 9.47 in Durgapur and Rs. 10.74 in Rourkela.²

5.53. The medical and health expenditure of the Heavy Engineering Corporation, Ranchi, is reported to be Rs. 15 per capita per day for indoor and Rs. 1.25 per capita per day for outdoor treatment. This Corporation, besides maintaining a very well equipped hospital, has arrangements for domiciliary treatment for T.B., cancer and mental cases. Air India is said to have spent Rs. 2.23 lakhs on providing medical and health facilities in 1966-67, the Heavy Electricals Ltd., Bhopal about Rs. 11 lakhs in 1965-66, the Hindustan Aeronautics, Bangalore, is said to have contributed Rs. 11.49 lakhs towards Employees' State Insurance Scheme besides spending Rs. 7.23 lakhs direct on providing medical care facilities to their workers in 1966-67. The Indian Telephone Industries, Bangalore claim to have spent more than Rs. 3 lakhs on providing these facilities in 1965-66. The Bokaro Steel Ltd. spent about Rs. 3 lakhs during 1967-68 on medical aid. These illustrations are by no means exhaustive but only help in giving an idea of the extent of medical facilities provided by these units and the range of expenditure that they incur on such facilities. The Committee also, in its tours to various public sector undertakings, gathered an impression that adequate attention has been paid on medical and health facilities by these projects.

5.54. A review of the replies received from various private sector undertakings to the Committee's questionnaire regarding medical facilities reveals that all the major industrial groups namely iron and steel industry, engineering industries, chemical and metal units, textile establishments and establishments engaged in the manufacture of sugar, tobacco products etc., are spending different percentages of their total expenditure on labour cost in providing medical and health facilities to their workers. Some of these units are of a medium size and cannot be compared to the resources and number of workers employed in public sector undertakings. It would, therefore, not be justifiable to draw any comparison of the expenditure that these units incur on medical facilities in relation to the expenditure incurred by public sector undertakings. In the larger units in the private sector such as TISCO and TELCO, Jamshedpur, Indian Iron and Steel, Burnpur, Philips India Ltd., Calcutta, J. & K. Organisation Kanpur, Indian Dye Stuffs Ltd., Bombay, Mafat Lad Group concerns, Assam Oil Company, Digboi, M/s. Godrej Ltd., Delhi Cloth and General Mills Group, and Hindustan Levers, amongst the responding units, indicate that the range of medical facilities provided by them and the expenditure incurred on these facilities is considered quite heavy. Some of these organisations have their own medical aid insurance schemes in respect of persons not covered by Employees' State Insurance Scheme in which worker also contributes some nominal contribution. There are others who provide absolutely free medical treatment to workers not covered by Employees' State Insurance Scheme. Notable amongst such cases are TISCO and TELCO. Employees' State Insurance Scheme does not cover Jamshedpur area though administrative charges under the Scheme are being paid by

TELCO and other industrial units for the past many years. According to information made available to the Committee, the expenditure on medical treatment of employees and their dependents in Jamshedpur was of the order of about Rs. 24 lakhs per year since 1966. The facilities provided include full outdoor and indoor treatment for general diseases and arrangements for domiciliary treatment in the case of T.B., venereal diseases, cancer, leprosy and mental diseases. Artificial limbs are also supplied and fit free of cost in cases of injury to workers with the assistance of Artificial Limb Centre at Poona. It was here in Jamshedpur that the workers of TISCO & TELCO were concerned about their medical facilities being taken over by the Employees' State Insurance Corporation. They requested the Committee that they would not like to be brought within the purview of the Employees' State Insurance Scheme because the medical amenities provided to them by the employers were much superior than those which could be thought of under the Employees' State Insurance Scheme.

5.55. This is specially true of all the steel plants. In these plants, sickness benefits are at present provided to the workers by the managements concerned and these are said to be fairly good. As the Employees' State Insurance Scheme does not cover the steel plant workers at present, employment injury benefits and maternity benefits are also available to workers under the respective enactments direct from the management. Legal obligations apart, these managements are also reported to give a number of other concessions.

5.56. The Committee has been considering as to whether it would not be justified to provide relief to such employers who have been giving medical and health care facilities to their workers at par with those obtainable through Employees' State Insurance Scheme, if not better. We feel that such employers should be exempted from paying their contribution to the Employees' State Insurance Corporation in so far as medical and health care only is concerned. Section 87 of the Employees' State Insurance Act empowers the appropriate Government to exempt, subject to such conditions as may be specified, a factory or class of factories from the operation of the Act for a period not exceeding one year at a time. Section 90 of the Act empowers the appropriate Government to exempt any factory or establishment belonging to the Government or any local authority if the employees in such factory or establishment are otherwise availing of benefits substantially similar or superior to the benefits provided under the Act. Section 90 makes a distinction between the Government and private undertakings in so far as exemptions are concerned. This, to our mind, is not justified.

5.57. We have noted that the Employees' State Insurance Review Committee had also examined this aspect in detail. The Committee has not favoured continuous exemptions both in the case of public and private sector undertakings. In the preceding paragraphs we have already mentioned about the failure of the Employees' State Insurance Corporation in providing satisfactory medical and health care to industrial workers. We are, therefore, constrained to differ with the views of the Review Committee on this subject. We are, thus, of the opinion that as a matter of encouragement, if not otherwise, such employers as give better amenities and whose workers are satisfied with these amenities should be given appropriate rebate in their

contribution to Employees' State Insurance Corporation. This in our view, would not only encourage the employers to provide still better medical and health facilities on their own but would also reduce the problems of the Corporation to the extent such exemption reduces the area of operation and coverage of the Corporation.

5.58. This review of medical and health facilities, both in private and public sector undertakings, indicates that in bigger industrial units, adequate medical facilities are available to workers but the same cannot be said of the smaller units. Even though the Committee has not been able to pay extensive visits to such smaller units, impressions gathered by it on the basis of its visits to some establishments in some industrial estates and otherwise indicate that these units have either not provided any medical facilities beyond those statutorily binding on them, which are in the nature of first-aid or some employers amongst them pay ex-gratia compensation to the workers to cover a part of their medical expenses in hospitals run by the State. This, to our mind, is an unsatisfactory state of affairs. We concede that smaller units are not in a position to provide these medical facilities individually owing to the financial strain, administrative difficulties and locational factors, but it should not be difficult for these units, especially such as are located in a contiguous area, to make the efforts to provide medical facilities by pooling their resources together. We, therefore, recommend that in the case of smaller units, medical facilities should be provided on joint basis by a group of employers in scattered areas. The institutions like industrial co-operatives, industrial estates can play an important role in providing medical facilities to the workers by a joint drive.

5.59. Although some allocation has been made in all the Five Year Plans for development of indigenous system of medicines in the Central as well as States spheres and grants-in-aid have also been given for conducting researches in ayurveda, siddha and unani systems of medicines, enough does not seem to have been done in this field so as to enable the industrial employers to take advantage of these systems as an alternative or a supplement to the modern system of medicine. It is generally believed that the provision of medical and health care through indigenous system of medicines is comparatively cheaper. While this Committee is not in a position to comment on the comparative efficiency of these systems it should be of special interest to medium and small scale employers to take more advantage of these systems of medicines to provide medical facilities to their workers. The State Governments, in our opinion, should be the appropriate agencies to give more encouragement to the application of these systems of medicine in the industrial sphere. The Employees' State Insurance Review Committee has also observed in its report regarding the efficacy and importance of indigenous system of medicine. It says that "during our tours, it was urged at a number of places, particularly in Kerala and Gujarat, that the ayurveda therapy should be given more scope, because people were used to it particularly in diseases such as, gout, rheumatism, arthritis, etc. In Ahmedabad, treatment in allopathy as well as ayurveda is available under the same roof and even inter-changeable at the option of the patient. In Ahmedabad, in one ayurvedic out-door unit, the number of patients was as high as six hundred per day for all types of diseases. There

is hardly any doubt that the ayurvedic treatment is in demand in great measure which should not be ignored and sufficient and satisfactory facilities should be made available for ayurvedic treatment".

5.60. It should, therefore, not be difficult even for the Employees' State Insurance Corporation to give sufficient patronage to the indigenous systems of medicine. We, therefore, recommend that other systems of medicine namely, ayurvedic, siddha unani and homoeopathy should be popularised by setting up dispensaries run on these systems in areas of concentration of industrial workers. This should be of specific interest to small scale factory establishments clustered over a contiguous area.

Medical and Health Care for occupational diseases resulting from hazardous operations.

5.61. Section 87 of the Factories Act refers to dangerous operations in factory which may expose any person employed on it to a serious risk of bodily injury, poisoning or disease. Under the provision of the Act, State Governments have been authorised to make rules to identify dangerous operations in a factory establishment and to provide for the protection of all such persons employed in those operations or in the vicinity of the place where such operations are carried on.

5.62. Under the relevant provisions of the Factories Act various State Governments and Union Territory Administrations have framed detailed rules for the purpose of detection of such operations in each factory establishment and measures to be taken against the evil effects that such operations may have on the health of a worker. These rules are supposed to (a) specify the operation and declare it dangerous, (b) prohibit or restrict the employment of women, adolescent or children in the operation, (c) provide for periodical medical examination and prohibition of employment of unfit persons, (d) provide for protection of persons employed in the vicinity and (e) prohibit, restrict or control the use of any specified material or processes in connection with the operation.

5.63. Under section 89 of the Factories Act whenever any worker in a factory contacts any disease specified in the Schedule, the manager of the factory is under an obligation to send a notice thereof to such authorities and in such time as may be prescribed under the rules. The medical inspector of the State Government is expected to send a medical report without delay in writing to the chief inspector of factories of the State Government. The State Governments are thus expected to appoint duly qualified medical practitioners to be certifying surgeons for the purpose. The rules prohibit such a person to be a certifying surgeon who is, or becomes the occupier of the factory, or is or becomes directly or indirectly interested therein or in any process or business carried on therein etc. The duties of the certifying surgeon have also been laid down in detail in the Act.

5.64. These provisions of the Factories Act and the rules made thereunder are very extensive in so far as they go. They are supposed to provide enough medical safeguards against occupational diseases or injuries as a result of hazardous operations. Whatever be the rules and the legal provisions on paper the purpose of law is fulfilled only if it is administered well. It is here that the Committee feels concerned about this important aspect

of the medical and health care of the worker particularly with the introduction of petro-chemical and allied industries on a progressive scale.

5.65. From most of the replies received from the factory establishments by the Committee it is evident that no specific arrangements exist for detection of such occupational diseases, leave aside treatments and care for the same. A large number of them do not even attach much importance to this factor. Only a very few limited establishments have introduced the practice of getting their workers medically examined periodically and that too from their own doctors. This is hardly the intention of the law makers. But perhaps the employers are not to be blamed in this regard. The States of Andhra Pradesh, Assam, Bihar, Maharashtra, Kerala, Mysore and U.P. had only one medical inspector each for all the factory establishments in their respective regions in the year 1965. Only Punjab had two and West Bengal three; Orissa, Rajasthan, Gujarat, Madhya Pradesh and Tamil Nadu had none. In 1966, with the exception of West Bengal which had three medical inspectors, the position with regard to Andhra Pradesh, Assam, Bihar, Maharashtra, Kerala and Mysore continued to be the same. Jammu & Kashmir, Madhya Pradesh, Tamil Nadu, Orissa and Uttar Pradesh had none in 1966 too. The position with regard to 1966 was not available for Punjab and Rajasthan.

5.66. Amongst the Union Territories only Delhi had one medical inspector, both in 1965 and in 1966. With this sad state of affairs in the enforcement machinery of the States it is impossible to expect even a very rudimentary and rough estimate of the prevalence of occupational diseases in factory establishments in the country.

5.67. The International Labour Organisation brought out a detailed booklet on 'The Role of medical Inspection of Labour' in 1968. India is a member of the International Labour Organisation. We are nowhere near the standards of medical inspection of industrial workers laid down in this booklet. It has been stated therein that "the importance of a labour inspection service among the institutions established to protect the health of workers against the hazards of their work has long been emphasised by the International Labour Organisation. One of the first international instruments adopted by the Organisation, namely, the Labour Inspection (Health Services) Recommendation, 1919 (No. 5) which was adopted by the International Labour Conference at Washington on 29th October, 1919, calls on each member of the International Labour Organisation that had not yet done so to establish as soon as possible, not only a system of efficient factory inspection but also in addition there to a Government service specially charged with the duty of safeguarding the health of the workers, which will keep in touch with the International Labour Office".

5.68. Convention No. 81 of the ILO refers expressly to the protection of the workers' health and the measures that must be adopted to ensure it. Article 12 provides that inspectors shall be empowered to take or remove for purposes of analysis samples of material and substances used or handled.

5.69. The above standards are only illustrative and not exhaustive. It has also been stated in this report that one of the most important tasks of medical inspectors is to ensure that protection is provided against particular noxious substances such as dust, gases, fumes and vapours and to take effective means to eliminate them.

5.70. The Committee has reviewed with great concern the glaring deficiency of the provision of this important service for medical and health care of the workers. The growing industrialisation and hazardous nature of occupation related with certain industries call for urgent action to identify various occupational diseases involved and suggest a suitable remedy. The need for listing out such occupational diseases and occupational hazards to which workers are exposed have been recognised in all labour laws. These provisions are, however, not being implemented statutorily. In some States there is no medical inspector while in other States there is only one inspector for identifying such diseases for all the industrial establishments. The Committee, therefore, strongly feels that urgent and effective steps are taken by the Central and State Governments for proper identification of occupational diseases in each industry and workers are examined periodically.

Sanatoria and Health Resorts

5.71. So far we have discussed details of medical and health care available to factory workers inside and outside the work-place. No mention has been made of the after-care services available to workers or measures which contribute to build sufficient resistance in a worker against the sagging effects of the slow in-roads on his energy that his association with the machine progressively continues to make. We have also not dwelt upon the much needed diversion that he and his family must have in health resorts and rest homes located at places known for salubrious climate such as seashores, hill stations and places gifted with specific curative properties like sulphur springs to help promote his health and the health of his family.

5.72. When the Committee came into being, some establishments, though extremely limited in number, were known to have set up sanatoria and health resorts for the benefit of their workers. In view of the fact that the need for such sanatoria and health resorts has been widely accepted in developed countries of the world, we feel that it would be proper for us to devote some thought to the provision of this unconventional welfare amenity for industrial workers in India how-so-ever utopian it may appear to be to some sections of the community in this country.

3. Page 93—"The Role of Medical Inspection of Labour", an ILO publication.

4. "This task involves a determination of the nature of the hazard, which may lie in the large variety of substances used or produced in the course of the work; an evaluation of the degree of risk, taking account of the toxicity of the substance, its concentration, the duration of exposure to it and the way in which the workers can come into contact with it in the course of various operations; and a survey of the methods, apparatus and devices that are used to eliminate the polluting agents as far as possible. Such a survey is particularly difficult to carry out when the protective apparatus and devices are applied to production plant, that is in operation".

[Page 49—"The Role of Medical Inspection of Labour"—ILO Publication].

5.73. As expected, mixed reactions have been received to this proposal. Even those who have opposed the idea of setting up such sanatoria clinics and rest houses have not done so on grounds of propriety or utility, but have questioned the wisdom of embarking upon such schemes in the present context of the Indian economy and the standards of living of the community as a whole with particular reference to factory workers.

5.74. It would be worthwhile to mention, in brief, some of the views received on this subject, both in written replies as well as during the course of the evidence tendered before the Committee in its tours to various States.

5.75. The State Governments have generally welcomed the proposal although some of them have stated that the establishment of health resorts and sanatoria seems to be an ambitious plan at present and such schemes can be deferred for consideration for the time being. Some have said that these would certainly improve the efficiency of the workers and should be separately laid down; large industrial establishments should be persuaded to set up these institutions; liberal financial assistance to be extended to the workers in order to help them to make use of this facility; Central Government should establish a labour welfare fund for industrial establishments which should provide such health resorts in different zones/States; special P.T.Os. and other concessions be extended for encouraging workers to utilise such facilities.

5.76. The views received from public sector undertakings also differ from each other. The consensus that has emerged during the course of oral evidence is that the development of health resorts should be the responsibility of the State Governments; the industry can also be made to contribute to the establishment of these homes and the expenditure should be shared between the State Government, workers and employers in the ratio of 2:1:1; the workers' contribution should be confined to the recurring expenditure only and not to the capital cost. It has also been said that the response from the employees is not likely to be appreciated as they cannot afford the expenditure during their stay at such health resorts. The health resorts may also not be useful if they are not administered well; such projects can be popular only if they are carefully planned and executed and medical care is fully provided. Some are of the opinion that the Employees' State Insurance Corporation should be asked to set up these health resorts and convalescent homes because ultimately they will help reduce the expenditure on medicines, hospitalisation and cash benefits which the Corporation otherwise gives.

5.77. The private employers generally feel that this burden should not be cast upon them. These facilities may also be too early for Indian standards; as all medical facilities have been provided to the employees, setting up of sanatoria, health resorts, clinics, seems to be unnecessary; a higher level of productivity is necessary before such schemes can be thought of otherwise the burden on the consumers will increase. The scheme is welcomed only if the industry can find adequate funds within its resources. This view has also been shared by some of the public sector undertakings which too have said that these are very laudable schemes but it is far from the capacity of indus-

tries in the present day conditions prevailing in our country to contribute even partly to the finance required for undertaking such programmes. It has also been stated that holiday homes and rest houses are considered necessary to promote the health of the working class people and industrial efficiency. But it may not be possible for the bulk of the employees in the middle and lower income groups to use such facilities due to financial stringency.

5.78. The workers' organisations have welcomed the proposal. Various suggestions have been received in this regard. It has been said that workers may contribute towards these facilities on the same basis as they contribute to Employees' State Insurance Corporation; boarding and lodging charges should be barest minimum and be subsidised by Government/employers; the expenditure involved in visiting holiday homes should be mostly borne by the employers or it should be met out of a welfare fund; the responsibility of taking the workers to health resorts for at least 15 days in a year should be made a statutory obligation; the workers should not be made to contribute when they avail of the benefit of health resorts in the event of their illness; in case the workers avail of the benefit only for holiday purposes, they should be made to contribute and share the expenditure involved and with a view to popularising these resorts, the workers should be granted holiday allowance.

5.79. The idea of setting up such sanatoria, health resorts, clinics and rest homes at appropriate places is neither utopian nor unnecessary. It is a well recognised and a felt need. It is, however, true that it may not be possible to promote such a scheme by any single industry, what to talk of individual establishments how-so-ever big they may be. It is true that some employers have established these on their own but they are more in the nature of holiday homes than in the nature of health resorts and clinics. It is also true that unless medical and health care both inside and outside the work-place is first fully assured, the question of after-care services does not arise. In any case, it seems either pre-mature or a remote idea which cannot be translated into practice in the immediate present.

5.80. This is one view. The other view is that if such institutions are necessary and have served useful purpose in the developed countries, they have also to find their rightful place in the developing countries. India has, in the past, ventured to tread those paths which prima facie, appeared utopian or impracticable. As time rolled by, experience gathered mass and administration geared itself up, to give practical shape to seemingly imaginative schemes, the dream became a reality. Setting up of sanatoria or health resorts for industrial workers has to be viewed in this context.

5.81. There are no two opinions about the utility of such institutions. There can also be hardly any difference of opinion on the desirability of establishing such institutions. The moot point to be resolved centres around the problem of finance, the detailed arrangement for establishment and running the sanatoria and health clinics, manner in which workers can and should make effective use of these amenities and the co-relation, if any, that can be established between the use of such places

and the fillip that they may give to the physical and mental equipment of a worker to do his best for the industry to which he belongs.

5.82. We have given considerable thought to the pros and cons of this problem to give a concrete shape to our recommendations on this subject and accordingly we have come to the conclusion that while a universal provision of such amenities in the present day context of the country's economy cannot be realistic, it is felt that the provision of this

important welfare amenity at selected places, to start with, should be explored. We, therefore, recommend that the Government may, with the assistance and co-operation of State Governments, public sector undertakings, central employers' and workers' organisations and autonomous corporations like the Employees' State Insurance Corporation and the Life Insurance Corporation should take initiative in the matter for formulating a scheme for convalescent homes and sanatoria etc. for workers.



CHAPTER VI

CANTEENS IN FACTORY ESTABLISHMENTS

Earlier references to Canteen facility

6.1. The Royal Commission on Labour and the Labour Investigation Committee laid considerable emphasis on the provision of canteen inside the workplace.

6.2. The Labour Investigation Committee (1944-1946) made a number of observations on the provision and functioning of canteens inside the workplace. The Committee observed :—

“The works canteen is increasingly recognised all over the World as an essential part of the industrial establishment, providing undeniable benefits from the point of view of health, efficiency and well-being. To introduce an element of nutritional balance into the otherwise deficient and unbalanced dietary of the workers, to provide cheap and clean food and an opportunity to relax in comfort near the place of work, to save time and trouble to workers on account of exhausting journeys to and from work after long hours in the factory, and (during war-time at any rate) to enable them to surmount the difficulties experienced in obtaining meals and foodstuffs—these are some of the objects of an industrial canteen”.¹

Legislative Obligations

6.3. The stress laid on the need of a canteen, or canteens inside work-place by these bodies led to the specific mention of the provision for this important welfare amenity in the legislation. *Factorise Act*,² 1948, provides that the State Governments may make rules requiring that in any specified factory, wherein more than 250 workers are ordinarily employed, a canteen or canteens shall be provided and maintained by the occupier for the use of the workers. The Act also states that, without prejudice to the generality of this power, such rules may provide for :—

- (a) the date by which such canteen shall be provided;
- (b) the standards in respect of construction, accommodation, furniture and other equipment of the canteen;
- (c) the foodstuffs to be served therein and the charges which may be made therefore;
- (d) the constitution of a managing committee for the canteen and representation of the workers in the management of the canteen;
- (e) the delegation of the Chief Inspector, subject to such conditions as may be prescribed, of the power to make rules under clause (c).

6.4. State Governments have framed rules under this enabling power of the Act. These rules in general prescribed for :—

- (i) canteen;

- (ii) dining hall;
- (iii) equipment;
- (iv) prices to be displayed;
- (v) accounts;
- (vi) managing committee;
- (vii) foodstuffs to be served and prices to be charged;
- (viii) portion of running cost to be borne by occupier; and
- (ix) relaxation of rules in the cases of centralised cooking.

I.L.O. Recommendation

6.5. Though the facility of canteen has been in existence in various countries of the World for quite some time past, the ILO mentioned of this facility, along with other welfare amenities, in Recommendation No. 102, adopted in its 39th Session held in 1956.

6.6. The Recommendations elaborates that either the competent authority or appropriate body of the country concerned should prepare and publish information, suggestions and guidance on the methods of setting up and operating canteens as also on the provisions like, location, establishment of joint canteens, accommodation, lay-out, equipments furnishing etc., types of meals to be provided, standard of nutrition and type of service, hygiene and financial questions.

6.7. This Recommendation gave further impetus to the establishment of standard canteens and also to the improvement in the existing canteens in factory establishments in the various countries of the World. Wherever the canteens have been set up by virtue of factory legislation or other measures of obligation, specified number of workers has been fixed for providing this facility by the employers. This limit varies from country to country and in some cases even from industry to industry also.

6.8. In most of the developed countries, canteens have already become a long standing feature of the industrial life. With a few exceptions, the setting up of a canteen in these countries is a matter of decision by the individual employers on the basis of the needs and wishes of the workers. In all such countries where canteens are not an accepted normal service, it has been found possible to provide subsidised meals for the workers. Further, wherever this institution has been set up under statute, extensive standards with regard to hygiene, nutritive value of the meals, prices to be charged, supervision, etc., have been laid down in the statute. A significant, though recent, development in Japan in this field is the organisation of industrial feeding cooperatives on a collective basis for the workers employed in the

1. Labour Investigation Committee, Main Report 1946, Page 252.

2. Earlier, the Factories Act, 1934, was amended by the Factories (Amendment) Act, 1947 (No. V of 1947) which inserted the section No. 33A, after section 33, making provision for canteen facility.

numerous small scale undertakings. Vending machines especially for the sale of cold drinks and mobile catering services yet is another popular feature in the developed countries.

6.9. In a majority of the developing countries, canteens are not generally prevalent in medium-sized and small undertakings unless there is a legislation empowering the competent authority to require the setting up of canteens in all undertakings employing more than a certain number of workers as in Burma, India and Pakistan. Thus the situation varies in the developing countries to a large extent and is influenced by the existence or absence of legislative requirements relating to the setting up of the canteens. In a few developing countries, canteens have been established through the efforts of workers and collective negotiations between the management and workers. The general nutritional standards of the workers being often low in these developing countries stress is usually towards the introduction of balanced meals in the canteen.

Present Position in India

6.10. The Statistics of Factories, published by the Labour Bureau, Simla do not give any indication of the number of factories which are obliged to provide canteens for the workers under law. However, the information collected by the Labour Bureau, reveals that in 1964 the total number of factories submitting returns was 48,415 and in these factories average daily number of workers employed was 40,24,258. Out of these workers, only 22,95,631 were employed in 2,439 reporting factories having canteens. The table given below shows the number of factories having canteens in different States and Union Territories, average daily number of workers employed therein and the number of canteens providing food, refreshments, tea etc. In 1964, about 50% of the workers were working in such factories which had no canteen facility. Even where canteen facilities existed only a 50% of these canteens were serving all items namely cooked food, snacks, tea, coffee and cold drinks etc.

TABLE

State	No. of factories having Canteens	Average Daily Number of Workers Employed in Factories having Canteens	Number of Canteens serving			
			Cooked Food, Refreshment and Tea etc.	Cooked Food only	Refreshments and Tea only	Tea only
1	2	3	4	5	6	7
Andhra Pradesh	124	109,451	23	1	78	16
Assam	79	21,776	3	..	52	24
Bihar	114	137,392	107	4	29	2
Gujarat	187	229,204	48	3	128	20
Jammu & Kashmir	4	690	1	..	2	1
Kerala	156	46,273	72	5	65	14
Madhya Pradesh	65	66,416	22	2	37	8
Tamil Nadu	212	155,257	126	9	64	42
Maharashtra	771	546,965	427	10	234	128
Mysore	93	115,366	61	5	24	8
Orissa	27	37,965	17	..	10	..
Punjab	77	53,892	37	..	31	10
Rajasthan	25	32,369	14	..	11	..
Uttar Pradesh	192	237,147	134	..	99	3
West Bengal	267	466,689	153	8	122	6
Andaman & Nicobar Islands	3	1,531	2	..	1	..
Delhi	29	35,874	21	..	15	..
Himachal Pradesh	8	1,374	10	3	2	3
Manipur	..	..	..	..	..	..
Tripura	..	..	..	..	..	..
TOTAL	2,439	2,295,631	1,278	50	1,004	285

6.11 The Committee was faced with a vast area of divergence of opinions received in written replies as well as during the course of oral evidence in its tours to States and Union Territories. The employers, generally, maintained that this facility was provided both as a matter of legal obligation and as a vital necessity even where law did not require them but the workers did not patronise the canteens. Workers did not accept this contention. They argued that lack of proper organisation of canteens did not make them popular with workers.

6.12. With a view to evaluating the implementation of statutory welfare measures, including canteens in factory establishments which are, by law, required to provide such measures the Committee requested the State Governments as well as Administrations of Union Territories to constitute a Sub-Committee or a Study Team comprising Labour Commissioner, Chief Inspector of Factories and any other two concerned officers of the State Government to make a study of the selected and representative establishments. They were also requested to suggest improvements, if any, in the standards, specifications and running of the canteens. Replies received from some of the State Governments which constituted these study teams throw light on the state of implementation with regard to the provision of canteen facilities in factory establishments in those States. Their findings are as under :—

Andhra Pradesh

6.13. It is observed by the study team during its study as well as from the data collected from all the inspectorate circles in the State and also from the discussions in the conference of the departmental officers that the implementation of the various statutory welfare provisions in the State is, by and large, satisfactory.

6.14. It is observed by the study team that the existing provision for notifying the factories for purposes of providing canteens is causing much delay especially in case of factories crossing the prescribed limit of 250 workers. The very fact that a particular factory has crossed the marginal limit of 250 workers, comes to the notice of the inspectorate after a lapse of some time and the process of notifying the factory by the Government involves some more delay. It deprives the workers of this welfare provision, for a considerable period. It is, therefore, suggested that the Act may be so amended as to cover the provisions of canteen automatically, without notification, when a factory employs more than 250 workers. In respect of other welfare provisions like Welfare Officers, Creche, Ambulance rooms, Rest rooms, Lunch rooms, etc., there is no such provision for notification. However, some reasonable time of 6 months may be allowed for the construction of canteen buildings as per standards laid down.

6.15. There is no uniform procedure now in arriving at no profit basis for fixing the price of food-stuffs in canteens. Some managements are bearing the expenditure incurred on salaries of service personnel in the canteen in addition to supply of utensils, crockery and cutlery, electricity and water etc., and the prices of food-stuffs and other items are fixed on no-profit basis taking into account the expenditure incurred only on provisions, milk, fuel, etc. Some managements are charging the salaries of service personnel also towards canteen expenditure while fixing the prices on no-profit basis. This

is giving scope to the workers to raise demands on comparative basis. The Inspectorate is not in a position to take any action as there is no clear provision in the rules. It is, therefore, suggested that a special provision should be made in the rules requiring the managements not to include the expenditure incurred on the salaries of service personnel for the purposes of fixing prices of food stuffs and other items on no-profit basis.

Bihar

6.16. Canteens are required to be provided in only such factories as employ more than 250 workers and as have been notified by the State Government to provide canteens. Thus 146 factories were notified by the State Government in this context. Out of those 146 factories, the number of workers have gone down below 250 in 7 factories now. These 7 factories are therefore, not required to provide a canteen. Also 5 of the notified factories are closed for a long time. This leaves only 134 factories which are required to provide a canteen.

6.17. Among these 134 notified factories, there are 8 mica and 5 glass factories. Mica and glass factories have been exempted by the State Government from the provisions relating to canteens subject to the condition that improvised lunch-rooms are provided in these factories, as approved by the Chief Inspector of Factories. This was done in consideration of the fact that the canteens, were not being made use of by the workers on account of the low rates of wages prevailing in these industries as they could not afford to spend a substantial part of their wages for taking meals in them. It was thus considered sufficient if an improvised lunch room, with arrangements for supply of tea and cheap snacks, was provided in these factories for which arrangements are being made. If these factories are excluded, it leaves only 121 factories, which are required to provide regular standard canteens out of which canteens have already been provided in 120 factories.

6.18. In several factories, in addition to the regular canteens, arrangements have been made for mobile units, which serve tea and snacks to the workers at the place of work.

6.19. There are a number of factories employing more than 250 workers, in which standard canteens have not been provided as yet, but in most of the cases plans of the canteens have been approved and they are under construction. The number of such factories is very small and even in such factories provisional canteens have been provided for the time being to cater to the needs of the workers.

6.20. In most of the factories, canteens are run departmentally while there are some, which are being run on cooperative basis. In a few factories, canteens are still being run through the agency of contractors. Most of the contractors sustain losses on account of supply of cheap articles of food to the workers and their losses are compensated or subsidised by the employers. In any case, even in such factories, the managements have been directed to abolish the system of contract and to arrange to run the canteens either departmentally or on cooperative basis.

6.21. In nearly all the canteens, Canteen Managing Committees have been formed and in most of the cases these Committees are functioning. All the canteens are directly or indirectly subsidised

by the employers and the prices of articles of food supplied in the canteens invariably are less than 50 per cent. of the prices prevailing in the market.

6.22. There are several such factories also in which a canteen has been provided even though the number of workers is less than 250. It is felt that the rules relating to canteens should be applied discriminately since the experience gained during these years clearly indicates that in many industries, there is no requirement or demand of canteens inspite of the fact that the number of workers is more than 250. On the other hand there are many factories, situated in larger towns, in which a canteen is essential inspite of the fact that the number of workers is less than 250.

6.23. Provisions of the Act relating to canteen, therefore should be flexible with adequate discretion to the State Government for directing individual factories to provide a canteen irrespective of the number of workers.

6.24. The following suggestions have been made by the Study Team for the consideration of this Committee :—

- (a) The rules relating to canteen should be applied discriminately; this policy is generally being followed.
- (b) The limit of 250 workers in the Act should be reduced to 150 and the State Government should have powers to notify any factory employing more than 150 workers requiring the said factory to provide a canteen of the prescribed standard.
- (c) The State Government should have powers to direct a factory employing less than 150 workers, but not less than 100 workers to provide a canteen of the prescribed standard.
- (d) The State Government should have powers to direct a factory employing less than 150 workers to provide a Lunch room with arrangements for supply of tea, snacks and light refreshments.

Gujarat

6.25. Such factories which have been notified under the Act in the past have provided the canteens. The position in respect of factories which have been notified recently by the Government is under watch. Most of the factories must have provided canteens even without notifying their names. However, full advantage is not taken by the workers, as the demand for cooked meal served is very poor.

Jammu & Kashmir

6.26 The implementation of the statutory welfare provisions is not satisfactory and upto the mark both in the private as well as public sector. This is because of the fact that most of the units do not fulfil the prescribed conditions for being legally bound to render such facilities such as Canteens, Creches, Labour Welfare Officers, Dispensaries, Rest rooms, Lunch rooms, etc. The provision of Canteens appears to have not been given the importance it deserves by the employers. However, there are instances where the canteens do exist in some industrial units. But in most of such cases these have been handed over to the

contractors who in their turn run these canteens with profit motives and the rates charged for the articles sold therein are more or less exactly the same as are being charged in bazars. The purpose of a canteen as such, is thus, defeated. Attempts are, however, being made to prevail upon the employers to arrange to run these canteens on no-profit no-loss basis with the co-operation of workers.

6.27. Reasons for not implementing the provisions :—

Most of the employers contended that workers are reluctant to use the canteen stuff. They bring meals from their homes and take it during rest interval. It is reported that they do not take tea during working hours. Other employers argue that workers do not like to make cash payments in canteens. They would prefer credit system. The adoption of credit system in canteens is not good for smooth functioning of the canteens. As regards other provisions the employers argue that the factory buildings being old, it is not possible for them to make provision for all facilities due to lack of accommodation and space. Generally the employers are reluctant to implement the welfare provisions under various labour laws. More deterrent fines and other punishment should be imposed to ensure better and effective implementation of the existing welfare provisions. Further the Factory Inspector should be free to launch prosecutions against the employers of the public sector undertakings without seeking prior permission from the Government as is the practice at present. The provision of canteens has remained mostly unattended to since long. The main reasons put forward by the employers is lack of space in factories, lack of funds and unwillingness on the part of workmen to use the welfare facilities. But the survey, as carried out in some representative factories, has revealed that the employers are deliberately avoiding the implementation of these welfare provisions.

6.28. The existing provision provides for the setting up of canteens in factories employing more than 250 workers. But there may be some factories which, though not employing 250 workers, may be located in out of the way places, where canteen facility is absolutely necessary. There is no provision in the existing section 46 of the Factories Act to notify establishments employing less than 250 workers to provide a canteen, with the result that this minimum welfare amenity, which is indeed a necessity, will not be available. This Government would, therefore, suggest that there should be an enabling provision empowering the State Government to notify even factories employing less than 250 workers to provide a canteen if they consider it necessary under special circumstances and to this extent, the provisions may have to be amended.

Madhya Pradesh

6.29. The Sub-Committee feels that, by and large, the welfare provisions under the Factories Act namely Washing Facilities, First-aid box, Canteen, etc., are being implemented satisfactorily. However, there is still scope for improvement if the Inspectorate could be strengthened to conduct more frequent inspections and if both the employer and employee had better appreciation of the spirit of these provisions.

Maharashtra

6.30. Every year some new canteens are being provided by the factories. In one factory an air-conditioned canteen has been provided. So far, 341 factories have been notified by Government, from time to time, for this purpose. Though this is the position as per the Rules in fact 460 factories in the State are providing facilities for food and snacks to their employees. This shows that more employers are paying attention towards welfare amenities, like canteen, for the workers.

The general observation is that the welfare provisions of the Factories Act, 1948, and the Rules made thereunder are, by and large, being complied with by the factory managements, in its spirit, barring a few bad units, which may need cracking off and on.

Orissa

6.31. After visiting the establishments and discussions with the employers' and workers' organisations, the Study Team came to the conclusion that by and large statutory welfare provisions are being implemented more in letter than in spirit. In the case of factories, the employers are seen not to have made adequate provisions in respect of canteens. Provisions for canteen and shelter are being violated persistently. The main reason appear to be unwillingness on the part of the employers to provide funds for this purpose.

Punjab

6.32. There are about 54 industrial establishments/transport undertakings in the State on which it is obligatory to have canteens for workers. Out of these, 47 industrial establishments transport undertakings have already complied with the provisions of law by providing canteens. It may also be mentioned here that some of the enlightened and liberal managements though not required by law, have provided canteens for the refreshment of their workers. Almost all the canteens are running on no-profit no-loss basis in some of the leading units canteens are run on subsidised basis. The subsidy is being extended in the form of free accommodation, furniture, utensils, crockery, water, electricity, etc.

6.33. The canteens generally provide tea and refreshments. Some of the canteens in bigger establishments, provide cooked food also. Majority of the units having canteens, have arrangements for serving tea to workers at their workplace. Some of the leading concerns are providing tea to workers free of charge.

6.34. The canteens are generally administered through Canteen Managing Committee consisting of representatives of employers and workers. Some of the canteens are being administered through contractors and in one leading concern through workers' cooperative society. It has been observed that the administration of canteens through Canteen Managing Committee is running quite successfully as the workers and the employers discuss day-to-day problems in these Committees at length and improve the working canteens. The working of the canteens has been found to be quite smooth and to the satisfaction of workers to a considerable extent.

6.35. The existing limits of law for providing canteens by industrial establishments, employing

250 or more workers under the Factories Act appear to be adequate in the present circumstances.

Rajasthan

6.36. The Committee set up by the Rajasthan Government to evaluate implementation of statutory welfare provisions has expressed the following views on canteens based on observations made and discussions held with employers' and workers' representatives :—

- (i) It was generally observed that the canteens are not run by the managements but are given to contractors to run them. The employers generally do not want to take responsibility of running the canteens departmentally.

It is also found that the canteen managing committees are not able to function at times as there are equal number of members of the employers and employees and in case of equality of votes no decision can be taken. The prices and quality of the food stuffs and snacks vary considerably from factory to factory. In some of the factories, the canteens are not equipped with the prescribed furniture and equipments and are not generally maintained in clean condition. Proper disinfectant is not used for cleaning the utensils. The crockery used is generally of inferior quality. It is suggested that the managements may be allowed to run the canteens through the agency of contractor, provided the contractor is ready to supply the foodstuffs etc., on price list approved for a particular region by the Chief Inspector of Factories. The quality and weight etc., of the food-stuff and tea are to be standardised and the prices are to be approved for a particular quality and quantity by the Chief Inspector of Factories. The quality of the equipments and furniture etc., should be improved. In the rules, there should be a provision that in case of equality of votes in regard to a certain matter before the Canteen Managing Committee, the matter should be referred to the Inspector of Factories and his decision should be final. This should not be left to the discretion of the manager entirely as at present.

- (ii) Provision should be made in the rules for providing benches with back rest. At present, the rules are silent on the question of the opening the canteen except during the interval of rest. It has been observed that the canteens are not generally kept open except during interval of rest. The workers' general desire is that the canteen should either be kept open throughout the working of the factory or a provision should be made for supplying tea and snacks in the work-place so that the workers may take tea etc., when they feel tired. In some of the factories this system is prevalent and is satisfactory. But in others no such provision exists and as there is no legal binding on the management, they are hesitant to provide the same. We, therefore, feel that legal provision should be there in the rules for the supply of tea and snacks in the working rooms

MINISTRY OF LABOUR, EMPLOYMENT & REHABILITATION
(DEPARTMENT OF LABOUR AND EMPLOYMENT)

Tripartite Expert Committee for Calcutta Docks

QUESTIONNAIRE

Item 1 : *To study generally the output of Dock Workers in Calcutta Port compared with that of dock workers in other ports and to investigate the reasons for the low output.*

Q. 1.1 : Please furnish output statistics of dock workers (stevedoring workers) of your port for the last five financial years as per proforma indicated below :—

- (i) Year
- (ii) Commodity
- (iii) Dateline
- (iv) Gangshift actual output inclusive of detention
- (v) Gangshift effective output
- (vi) Manning Scale per hook
- (vii) Percentage of idle time to total shift hours.

1.2 : Please furnish figures for hookshift output of dock workers in Calcutta for different commodities for the years 1950, 1955 and 1967.

1.3 : What according to you are the main causes of low output, if any, of Calcutta.

1.4 : Can you indicate the factors which make for better output of dock workers in other ports—factors which may be lacking in Calcutta Port.

Item 2 : *To investigate why the existing Incentive Schemes have not given the expected results in terms of output and to suggest remedial measures.*

Q. 2.1 : Please give the figures of hookshift output* in respect of dock workers at Calcutta for handling (i) foodgrains, (ii) salt as mentioned below :—

- (a) Figures of output for 3 years prior to 16.3.65 (i.e. the date of introduction of Incentive Schemes); and
- (b) Figures of output for three years after 16.3.65 upto June 1968.

NOTE : *For foodgrains separate figures should be given for single and double sling working.

2.2 : Please also indicate whether shore handling equipments and other facilities improved or deteriorated as between the two periods. Please furnish facts in support of your statement.

2.3 : Do you think that the incentive schemes have given the expected results of increasing the output of dock workers ?

2.4 : Do you think that the reasons like the differences in practices obtained in the Calcutta and Bombay Schemes as for example, (a) Supervisory categories like Deckforemen and Hatchforemen being direct employees of the stevedores at Bombay while they are under the Board at Calcutta; (b) the absence of a provision of a fall-back wage in the Calcutta Incentive Schemes etc. have contributed to the low output at Calcutta.

2.5 : Has the operation of the incentive schemes been affected by the attitude of dock workers and/or employers or any other concerned agency ? The answer may be substantiated with facts and figures where necessary.

2.6 : Has the cost of handling a ton of cargo of foodgrain and salt been affected by the implementation of the schemes ? If so, how ? Please substantiate with facts and figures.

2.7 : How do the normal rates of handling foodgrain and salt before and after introduction of the scheme compare ?

2.8 : Has the variation in the cost referred to in 2.6 above had any repercussions on the trade passing through the port ? The answer should be substantiated with concrete illustrations.

2.9 : What remedial steps should be taken in order to ensure satisfactory working of these two incentive schemes ?

2.10 : Should the manning scales in the Calcutta Port be held partly responsible for the low output and high cost of handling ? If so, what should be the correct manning scales for different categories of workers ?

Item 3 : *To examine whether further incentive schemes should be introduced and, if so, to suggest the principles on which these should be based.*

Q. 3.1 : Do you think that any new Incentive Schemes should be introduced in the Calcutta Port ? If so, (a) what categories of workers should be covered by these schemes and what the principal features of these schemes should be; (b) judging by the experience of the existing incentive schemes at Calcutta and at other ports, on which principles should the new incentive schemes be based ?

3.2 : What will in your estimate be the financial implications of the new schemes and what will be their repercussions on the economy and efficiency of dock work at Calcutta and on the handling cost of cargo ?

3.3 : How does the current stevedoring cost for different types of cargo at Calcutta compare with those at other ports ? Please furnish figures in support of your statement.

3.4 : What percentage of the total turn-round time of a ship in a terminal and tidal port like Calcutta is really dependent on labour performance ? Please furnish figures in support of your answer. To what extent increased labour productivity can help to reduce total turn-round time of ships in Calcutta Port ?

3.5 : Please indicate figures showing the average total stevedoring cost per ton for loading and unloading at Calcutta and state what proportion this forms of the total costs of shipping.

Item 4 : (i) *To examine in the light of experience how far the categories covered by the registered and the un-registered schemes are appropriate and whether they require any modification;*

(ii) *To examine further whether any categories not covered by either of the two schemes should be brought within the scope of these schemes, and*

(iii) *To examine and recommend how flexibility in employment to ensure reasonable equality of opportunity for work amongst different categories can be achieved.*

Q. 4.1 : Is it necessary to decasualise or enlist other categories of dock workers not included in the schedules attached to the existing Schemes ? If so, please mention these categories in the order of precedence and indicate the consideration for which it is considered necessary to decasualise or list them. The following details in respect of these categories may please be supplied :—

- (i) Name of category of workers;
- (ii) The nature of work they have to perform;

tially for a limited period tend to become a regular feature. **The Committee feels that these exemptions should not be conferred or granted as a matter of routine and should be given for a specified period only say, for a year wherever absolutely necessary.**

6.44. Under the existing provision of the Factories Act, 1948, any factory which employs more than the limit of workers, prescribed for the establishment of a canteen has to be duly notified by the State Government for the purpose. The fact, that a certain factory or establishment has crossed this limit comes to the notice of the Inspectorate after a lapse of considerable time and the process of notifying the date by which the canteen should be provided by a State Government also involves some more delay. This procedure, in our view, is neither necessary nor does it serve any purpose except perhaps for the collection of statistics. If so, this can be achieved after a canteen has been established by making it compulsory upon the employer to notify the same to the concerned authorities. We, therefore, recommend that the **State Governments may amend their rules so as to ensure that the facility of canteen is provided in the factories which are required by law to provide it with the least possible delay. The need for the issue of formal notification by the State Government may be dispensed with.**

6.45. When the limit of more than 250 workers was prescribed for the establishment of a canteen the framers of law had only the then labour intensive industries like textiles, sugar and some other large-scale establishment in their view. A number of capital-intensive industries such as electronics, telecommunications, machinery-manufacturing, fertilizers, chemicals and pharmaceuticals etc., have now come into being. Besides this, processes of the rationalisation and automation applied progressively have also reduced the number of workers in new establishments. In view of these developments a number of State Governments, Public Sector Undertakings and Workers' Organisations have suggested reduction in the existing statutory limit of workers in the Factories Act, 1948, to make this facility available at or near the place of work to a larger number of workers. Generally it has been said that the limit be reduced to 150 workers. While downward revision of the statutory limit of workers may not always be feasible, it is felt that **the managements/employers should provide canteen facility even in establishments employing less than the prescribed limit of workers, if a request is made by them in this behalf and the workers agree to run the canteen on cooperative basis.** We have no doubt that a large number of employers will themselves take initiative in the matter if there is a demand for the provision of canteen facility by their workers.

6.46. A few undertakings/industries like cement, paper, oil and natural gas, construction, etc., deploy a number of their workers in batches on different jobs in the distant and interior areas. For these workers, canteen facility cannot be provided on permanent basis, at any place because of the

fluctuating and comparatively small number of the workers as also the short duration of the works. **To meet the needs of such workers, mobile canteen facility should be made available to the workers engaged on different jobs in the distant and interior areas by the employers/managements.**

6.47. Replies to the Committee's questionnaire regarding the pattern of management, reveal that out of existing canteens, 22% are run by the contractors, 17% by the employees' cooperatives and the remaining by the employers themselves. This clearly shows that no uniform pattern for running the canteens has been followed. Central Organisations of workers in their replies to the Committee, have observed, "Generally speaking the quality of service for industrial workers is not satisfactory. More often than not the employers provide this facility for the purpose of fulfilling their legal obligation; but no serious attempt is made to provide satisfactory service"..... "Particularly in recent years, the standard of canteen service has deteriorated due to bad organisation and poor quality of food articles supplied, explained away because of the prevailing high prices and shortages."..... "Since canteen is an unwanted statutory liability of the employers, seldom the condition is found to be hygienic. It is always situated in ill-lighted, ill-ventilated abandoned rooms normally used as cow-sheds elsewhere". It has also been represented to the Committee, "the guiding principles, specifications and standards laid down in the law for maintaining the canteen more often, than not are known only in their breaches." Although the Committee cannot ignore the excellent canteen services provided by some of the large and well established factories, the observations of the Central Organisations of workers too must be based on sound foundations. The neglect, in providing the specified standards for this facility, if correct, makes it incumbent upon the **State Governments to have adequate arrangements for reviewing the functioning of the canteens by the State machinery at regular intervals say, at least four times during a year to ensure effective implementation of the provisions.** With a view to achieving the objectives of service of this facility and introducing improvements in the general standards, **both managements and the workers' organisations should take active and effective interest in the running of the canteens. Tripartite bodies should be constituted to ensure that the canteens are run properly and are popular with the workers.**

6.48. The complaints regarding the poor standard of service and maintenance, sub-standard food-stuffs and eatables, high prices charged for the items etc., have generally been made in respect of the canteens run by contractors in the factory establishments or near to them. One of the State Governments has remarked, "Wherever these canteens exist they are mostly run by contractors and are no better than a private tea stall, providing neither cheap nor good food nor congenial atmosphere or clean sanitary or attractive surroundings." Canteens run on the cooperative basis by the workers is the best possible way to minimise the grounds for the deficiencies

3. INTUC's reply to the questionnaire of the Committee.

4. AITUC's reply to the questionnaire of the Committee.

5. HMS's reply to the questionnaire of the Committee.

6. Reply given by the U.P. Labour Welfare Officers' Association in response to Committee's Questionnaire.

7. Government of Orissa in their reply to the Committee's questionnaire.

noticed in the maintenance, servicing and quality of food stuffs, prices charged etc. We, therefore, feel that the canteens should preferably be run by workers on cooperative lines and employers should give encouragement to the workers for this purpose. To avoid delays in the registration etc., of the cooperative canteens, the State Governments should not only complete the connected formalities as early as possible but also encourage the formation of such like cooperatives. The involvement of workers in the running of canteens will, we hope, result in bringing about considerable improvement in this institution.

6.49. Nutritional aspect of the eatables and meals made available to the workers in the canteens is of paramount importance. This is true both for the workers' health as well as for enhancing productivity, in general. According to an expert opinion,⁸ the level of nutrition measure by daily calories available per head yielded the closest relationship with the rate of economic growth. This relationship was more significant in the case of under-developed countries. Nutrition made available to the workers plays an important role in the prevention of diseases, promotion of health and efficiency at work. It is necessary that for a healthy and vigorous life all the nutritional elements viz., proteins, fats, carbohydrates, vitamins, mineral salts, etc., should be contained in a worker's diet in adequate quantity. In this regard, the Bombay Cotton Textile Enquiry Committee attempted at first to fix the minimum wage on a fairly scientific basis by linking it with the requirement of food etc., of working class families. Dr. Aykroyd recommended a minimum intake of 2600 calories for an adult man; the Uttar Pradesh Labour Enquiry Committee adopted a diet schedule given to it by Dr. Patwardhan which provided for about 2,700 calories; and the Sub-Committee⁹ on the National Nutrition Advisory Committee on nutritional requirements of working class families reached a slightly higher estimate for the factory and Plantation workers. In view of the importance attached to the nutritional properties of the snacks/meals available to the workers, it is necessary that spirit behind the provision of canteens be borne in mind by the employers. They should take due interest in providing eatables of requisite standards and nutritive value to the workers employed in their establishments and should not take the provision of canteens as a routine statutory obligation, to be fulfilled somehow. The Central Government, on their part, should amend the concerned legislations empowering each State Government to make rules to meet the object of nutrition. The Rules may provide that a high level expert Committee be set up in each State to lay down standards of nutrition for different categories of workers and also to ensure that these standards are maintained in the canteens.

6.50. One of the methods of popularising and augmenting the rate of utilization of the canteens,

(specially those, not run on cooperative lines) is to allow purchases on credit or deferred payment basis. To such workers as usually find difficulty in making cash payments, this provision will be of assistance to a great extent. The proposal has, however, not found favour with some employers for possible misuse of credit facility in various ways. The Workers' Organisations have favoured the credit purchases to the extent of 5% to 10% of their wages. Perhaps the apprehension of misuse can be overcome by providing suitable safeguards wherever necessary. We, therefore favour that credit facilities be provided to some extent. For that, it is also necessary that the Payment of Wages Act, 1936, should be suitably amended so as to include deductions for credit to workers in respect of purchases made from canteens permissible under the Act.

6.51. As recommended earlier (Para 6.45) even if the managements encourage canteen facilities on the request of workers to be run on cooperative basis, still a large number of workers in small factories including those in industrial estates will remain deprived of this welfare measure. To mitigate the hardships of these workers, the competent authority should be authorised to permit joint service by small employers situated in the same area/industrial estates and if necessary amendments to the existing provisions of the Act should be made for setting up of joint canteens.

6.52. Whether the canteen is to be run on cooperative lines or as a departmental activity of the Welfare Department by the employer or as a joint service by several employers in the vicinity coming together for this purpose, what should matter most is that the canteen is situated in a clean and hygienic place, that the kitchen, the counter as well as the eating place are maintained in clean and hygienic condition and are free from flies, dust and dirt.

6.53. The Welfare personnel of the establishment, the union leaders and the more literate and enlightened among the workers should together voluntarily go through a process of education through mutual consultation about the desirability of maintaining of what is essentially a health building service and thereby ensure that the workers who may take advantage of this service learn the value and importance of a clean hygienic canteen service.

6.54. The second most important aspect of such a service which has been constantly dinned into our ears is serving of cheap nutritive balanced dishes (like idli and dosa, liquid green vegetable etc.) and persuading the workers to eschew too much of fried things, which are some times treated with soda powder depriving the eatables of vitamins and other body building ingredients. This is one matter in which the workers and employers should and will heartily co-operate with each other.

8. The Quality of Labour and Economic Development in Certain Countries-a preliminary study by Watter Gatenson and Graham Pyatt-ILO 1964.

9. The Sub-Committee of the National Nutrition Advisory Committee was set up in May 1962. It submitted its report towards the middle of 1964 to the main Committee and *inter alia* suggested a net intake of 2750 calories per adult consumption unit.

CHAPTER VII

CRECHES IN FACTORY ESTABLISHMENTS

Earlier references to Creche facility

7.1. The need for establishment of creches in industrial units was stressed as far back as 1931, when the Royal Commission on Labour in its report observed that :—

“Creches are not uncommon in factories employing women, and some we saw were admirably staffed and equipped; others, if better than nothing still left much to be desired; yet others were both dirty and inadequately furnished. In many of the factories employing women in substantial numbers, no creches have been provided, and this is particularly true of the Bengal Jute Mills, where caste feeling and the reluctance of women to leave their young children were stated by some witnesses to create serious difficulties. As a result of their absence, infants are taken into the mills and can be found lying on sacking in bobbin boxes and other unsuitable places, exposed to the noise and danger of moving machinery and a dust laden atmosphere, and no year passes without a certain number of serious and minor accidents, and sometimes even of deaths, occurring among such children”.¹

7.2. The Commission, inter alia, recommended that the provision of creches should be made a statutory obligation in all factories employing not less than 250 women. At the same time it suggested that discretionary powers might vest with the Provincial Governments to provide creche facilities even in the units employing lesser number of women workers, where, in their opinion, the circumstances warranted establishment of such creches. The then Government of India, after examining the position prevailing in India and practices obtainable in other countries, decided to make provision of creches in such factories as employed more than 50 women workers a statutory obligation on the employers under the Factories Act, 1934. The Provincial Governments were authorised to make rules under the Act.

Law and practice in regard to provision of Creches in foreign countries

7.3. In most of the countries in Asia and the Middle East, the law requires the employers to provide creche facilities wherever a certain specified number of women are employed or sometimes whenever the children belonging to women employees reach a certain number. In Burma and Pakistan the minimum number of women required is fifty, in Vietnam 100 and in Jordan 30. In Iran the establishment of a creche is dependent on the minimum number of children (which is ten) and not the women employees.

7.4. In majority of the East and West European countries the creche facilities are normally provided by public authorities and local bodies, as a part of community facilities. There are, however, some notable exceptions. In France, Italy, West Germany and Sweden individual industrial units are obliged to set up creches under law.

The French Labour Code provides that any industrial or commercial undertaking, employing more than 100 women of over 15 years of age, may be required to make available suitable premises to enable mothers to nurse their children during appropriate breaks in working hours provided for the purpose.

7.5. In Italy, the law requires all undertakings employing over 50 women to provide nursing rooms. In Sweden, although larger undertakings some times provide creches but generally the practice preferred seems to be to subsidise a municipal creche to assure these facilities to their women employees. In other countries there are also examples of creches in undertakings employing substantial number of women, more particularly in West Germany.

7.6. Legislation in several East European countries also requires the establishment of creches, kindergartens and nurseries for the children of working mothers, but there is no stipulation of a minimum number of either working women or their children for the setting up of creches. With the increase in the employment of women workers it has been considered necessary in these countries to open a large net-work of creches and kindergartens both by the community and individual undertakings.

Present position in India

7.7. The foundations laid down in Factories Act, 1934 were strengthened by a specific provision of a regular creche in the Factories Act of 1948. The Act lays down that in every factory wherein more than 50 women workers are ordinarily employed there shall be provided and maintained a suitable room or rooms for the use of children under the age of 6 years of such women. It further says that :—

Such rooms shall provide adequate accommodation, shall be adequately lighted and ventilated, shall be maintained in a clean and sanitary condition and shall be under the charge of women trained in the care of children and infants.

The State Government may make rules—

- (a) Prescribing the location and the standards in respect of construction, accommodation, furniture and other equipment of rooms to be provided, under this section;
- (b) requiring the provision in factories to which this section applies of additional facilities for the care of children belonging to women workers, including suitable provision of facilities for washing and changing their clothing;
- (c) requiring the provision in any factory of free milk or refreshment or both for such children;
- (d) requiring that facilities shall be given in any factory for the mothers of such children to feed them at the necessary intervals.

(1.) Report of the Royal Commission on Labour, page 65.

7.8. Under this provision, State Governments have framed detailed rules regarding the provision and maintenance of the creches in factory establishments. These rules, in general, provide for (i) creches; (ii) wash-rooms; (iii) supply of milk and refreshments; (iv) creche staff; (v) clothes for creche staff and (vi) qualifications of a woman in-charge.

Compliance with the Statutory provisions & functioning of Creches.

7.9. As at present, no statistics are published regarding the number of factories which are required to maintain a creche in accordance with the provisions of the Factories Act, 1948. However, the Labour Bureau, Simla, Government of India, are publishing certain statistics relating to the number of factories providing creches and the number of children utilising these creches in their annual publication 'Statistics of Factories.' Table^a given below indicates the trend since 1922:

TABLE I

Year	No. of factories employing 50 or more workers	No. of factories providing creches.	No. of children utilising creches.
1	2	3	4
1952 . . .	6,319	431	11,316
1953 . . .	6,069	464	16,065
1954 . . .	6,369	487	15,628
1955 . . .	6,745	562	15,794
1956 . . .	7,111	565	15,961
1957 . . .	7,909	752	20,590
1958 . . .	7,922	794	18,880
1959 . . .	8,132	800	22,760
1960 . . .	8,599	720	21,656
1961 . . .	8,905	753	29,843
1962 . . .	9,100	771	21,131
1963 . . .	9,672	828	21,190
1964 . . .	10,167	753	23,576

7.10. To evaluate the working of creches, it is essential to divide the subject into two parts. These are (i) the extent and the manner in which the provisions of existing law have been implemented, gaps and short comings therein and suggestions for improvement to realise the intention of legislation and (ii) the need, if any, for revision in the existing law.

7.11. It is important to have a fairly balanced idea of the implementation regarding provision and functioning of the creches in all such factory establishments as are required to establish a creche. In the absence of any statistics on the number

of units statutorily required to provide creches in the factory establishments it was necessary for the Committee to mainly rely on (i) replies received from such units as responded to the questionnaire of the Committee; (ii) oral evidence tendered before the Committee; and (iii) the replies received from the State Governments in the matter.

7.12. The employers have maintained that creches have been provided, both in letter and spirit, wherever establishments are under obligation to do so. The workers have been contending that the position is not as satisfactory as the employers portray it. The observation tours of the Committee, limited as they essentially were, also revealed a mixed picture. Some of the establishments visited had very good creches, properly manned and run, as per rules laid down under the Factories Act. Others were below standard in more than one respects. We, therefore, requested the State Governments and Union Territory/Administrations in March, 1968, to constitute a sub-committee or study team comprising Labour Commissioner, Chief Inspector of Factories and any two other concerned officers of the State Government to make a study of the selected and representative establishments for evaluating the implementation of statutory welfare amenities including creche. The observations of some of the States, which set up study teams/sub-committees, in addition to sending replies to the questionnaire, are given in the succeeding paragraphs.

Andhra Pradesh

7.13. All factories employing more than 50 women workers have provided creches except some new factories where only unmarried girls were recruited. Such factories are also taking steps to provide creches as some of the female workers have subsequently married and have children.

There is no provision now prescribing the minimum scale of accommodation. It is suggested that some minimum scale of accommodation be prescribed to provide sufficient accommodation at the initial planning stage only. The following scale is suggested:—

1. Provision should be made for accommodating number of children equal to 1/3 of the number of women employed upto the first 100 women workers; and
2. At the rate of 1/5 of the number of women workers over and above 100 workers.

Provision should also be made empowering Chief Inspectors of Factories to relax the scale prescribed above in case of seasonal factories like tobacco, cashewnut, etc.

Bihar

7.14. A creche is required to be provided in a factory in which the number of women workers is more than 50. It is felt that there should be a proviso in the section empowering the State Government to direct a factory employing even less than 50 female workers to provide a creche of a specified standard. There are 29 factories in this State in which the number of women workers

2. Source.—Statistics of Factories. Figures beyond 1964 are not available.

employed is more than 50 and in all these factories creches have been provided. Nearly all the creches provided are of the approved standard. In the case of a few factories, however, sub-standard creches have been allowed to function for want of space or other considerations. These factories, the number of which is very small, have also instructions to provide creches of prescribed standard as soon as practicable.

Gujarat

7.15. The factories wherein more than 50 women workers are employed have to provide a creche for the use of children under the age of six years. Such factories have provided these amenities.

Jammu & Kashmir

7.16. Women workers have been employed in sericulture only. There are about 47 women workers. For the children of these workers, a creche has been provided but the creche is located in a dark room and managed by a women employee who is not trained in nursing. The room is also not properly furnished.

Maharashtra

7.17. The compliance in regard to the provision of creches is generally satisfactory. However, 30 factories have been granted exemption by the State Government from the provision of creches, subject to the conditions that the number of married women and widows employed in these factories shall be reported every six months to the Chief Inspector of Factories.

Punjab

7.18. Women employment in the industrial sector in the State is not much. The number of women workers hardly reach 50 so as to bring an industrial establishment under legal liability to provide creche facilities. There is also a tendency on the part of employers not to employ 50 or more women so that they could dispense with the legal formalities of providing creche facilities. Presently there is only one such establishment employing 55 women workers which is covered under the Factories Act for the provision of creche facilities. This establishment has newly come up in the State and is on its way to comply with legal provisions.

Rajasthan

7.19. Creches are generally provided by the factories which are required to maintain them under the law. They are also of requisite standard. It is, however, suggested that a provision should be made in the rules to provide fans in the creche-rooms.

Delhi Administration

7.20. In majority of the big factories, employing more than 250 workmen the statutory provisions under the Factories Act, including provision of creches are being implemented both in letter and spirit. However, in a few of them these provisions are not being properly implemented due to the following reasons:—

- (1) Rapid increase in the number of workmen:

- (2) Limited space; and

- (3) Restrictions imposed for covered and non-covered areas by the local bodies.

7.21. Besides the observations of the State Governments referred to in the preceding paragraphs, other State Governments have commented on one aspect or the other of the non-provision, functioning and improvement in creches in factory establishments. These observations have been mentioned at appropriate places in the course of the chapter.

7.22. Some of the industrial establishments have given a number of reasons as to why they have not provided or not considered it necessary to provide creches in their establishments. These reasons in main are: (i) women workers employed are either unmarried or widows; (ii) women workers have not eligible children to attend the creches, (iii) there is no demand for creches, and even if they are provided, the working mothers are not likely to make use of them, (iv) workers are dispersed over large area and provision of creche at one central place far away from the place of work will not serve any useful purpose and (v) women are largely employed on the administrative side or on the clerical jobs and only a few of them are engaged in the workshops. It is, therefore, not necessary, nor are they legally obliged, to provide a creche.

7.23. In their reply to the Committee, the Government of Haryana have stated that there are about 2,351 women workers employed in the State. 11 units are required to provide and maintain creches. Of these, only one unit has provided this facility and in the remaining 10 units no creche has been provided.

7.24. The Hind Mazdoor Sabha has reported to the Committee that wherever 'no marriage' clause in the contract of employment exists, it should be abolished.

7.25. The Director General of Factory Advice Service & Labour Institutes has also stated in his reply to the Committee that "it is quite possible that there may be certain factories which have not been registered under the Factories Act. Only when the factory inspectors come across such units could they be registered under the Act and various provisions of the Act enforced. a tendency has been noticed, particularly among small occupiers, to split up the premises into more than one unit and to evade application of the Factories Act".

7.26. The Committee has also examined the view that women are not making proper use of existing creche facilities. We feel that small attendance at factory creches may be partly attributed to the fact that creches are not maintained properly and partly that women working in the mills generally stay far away from their work places and they prefer to keep their babies at home under the care of some neighbour rather than to carry them long distances up and down.

7.27. This view has also been supported by the Maharashtra Government. They have observed that "the attendance at the creches is thin on

account of the fact that the women are not able to conveniently carry their babies (upto the age of 6 years) alongwith them due to the difficulties of transport. The buses and trains are so heavily crowded that it is not convenient for the women to bring any babies, except the last one in arms, when they travel to the Factories. If all children upto the age of six are brought it is estimated that the attendance in the creches will be three or four times the actual figures at present".

Scale of amenities provided in creches

7.28. There are certain other aspects such as the scale and extent of amenities provided in the creches, their maintenance and supervision etc., which also need to be discussed. The views received from the parties concerned on issues such as maintenance, supervision and functioning of creches are widely divergent. The managements of the various reporting industrial units, in their replies to Committee's questionnaire, have stated that the children attending the creches are being supplied with milk, refreshments, clothes etc., and that the creches are being properly maintained and supervised. But the replies received from workers' unions do not corroborate the information furnished by the managements of individual units. The workers' organisations, in their replies to Committee's questionnaire, have reported that barring a few bigger and well-established units where the creches are well maintained and adequately equipped, in majority of the cases creche facilities provided are not satisfactory and adequate.

7.29. The Committee has also examined the estimated amount of expenditure incurred by individual units on the maintenance and running of creches indicated in their replies sent to the Committee. But these figures have not been compiled on any uniform basis by the parties and vary in the scope and contents from unit to unit. Some of the units have included even approximate market rent for the rooms provided as creche in their units. Others have included the proportionate wages paid to the staff (sweepers, ayahs and other attendants) in the expenditure incurred on the maintenance of creches. Figures of expenditure on the maintenance of creche facilities in various units do not, therefore, give any clear picture of the standard and extent of various amenities provided in the creches.

7.30. According to the replies received from the State Governments and workers' Organisations, we feel that the working of creches need some improvement in certain directions and unless effective steps in the right directions are taken, improvement may not be possible. In this connection, it would be relevant to quote the suggestions made by the Government of Gujarat, in their reply to Committee's questionnaire, for improving creche facilities. They say that the satisfactory working of the creche would depend upon the spirit in which the management runs the

creche. The creche should not be run merely as a matter of compliance with the legal provision. If a creche is run as a special welfare amenity in its true spirit there will be marked improvement. The employers with enlightened social conscience can set example in the improvement of the standards of the construction of the creches, equipments provided therein, the trained staff employed for it and the clothings, milk, refreshments, etc., to be supplied to the children attending the creches.

Suggestions for improvement

7.31. The Committee, therefore, feels that it is most essential that the creches when first opened in the new industrial establishments should be well furnished and properly supervised by the trained personnel. It is also equally important that the standards prescribed in law in respect of creches should be strictly maintained and even if the number of children attending creches decreases, these standards should not be allowed to go down.

7.32. The Committee on implementation of statutory welfare provisions appointed by Rajasthan Government, in its report to this Committee, has suggested that a provision should be made in the Rules to provide fans in the creche rooms. The Committee endorse the above view and feels that the provisions of fans in creches is essential and should be provided invariably wherever they are not being provided now.

Need for modifications in the existing statutory provisions

7.33. On the question of existing limits for the provision of creches, the Committee invited the views from various parties including State Governments, public sector units and employers' and workers' organisations. A good number of parties, including State Governments, have stated that existing limits were fixed more than two decades back. Since then there has been a perceptible change, both in the industrial structure and complexion. The existing limits, therefore, need revision. It has also been stated that the legislators, while fixing limits for the provision of creches, had in mind financial position of the units and it was considered that smaller units employing less than 50 women workers may not be in a position to provide creches for the use of children. It is now being felt that with the fast changing industrial scene in the country the existing limits may not meet the requirements of a majority of medium-sized industries which have come into existence in recent years and, therefore, downward revision in the existing limits is desirable. At the same time there is a diametrically opposite view that the existing limits are adequate and justified in the existing economic situation prevailing in the country and more emphasis should be placed on the strict implementation of the existing provisions of the law rather than lowering the limits laid down under the law. At this stage it is necessary to reproduce the available statistics^a which

3. Source.—Statistics of Factories.

we feel have a bearing on the matter before us. These are in the table below :—

TABLE II

Year	Total number of factories submitting returns	Percentage of factories to the total		
		Employing less than 50 workers	Employing 50 or more but less than 500 workers	Employing 500 workers and more
1	2	3	4	5
1952 . .	24,303	74	22	4
1953 . .	24,276	75	22	3
1954 . .	26,538	76	21	3
1955 . .	26,978	75	22	3
1956 . .	28,444	75	22	3
1957 . .	31,635	75	22	3
1958 . .	34,443	77	20	3
1959 . .	36,965	78	19	3
1960 . .	39,087	78	19	3
1961 . .	40,478	78	19	3
1962 . .	43,333	79	18	3
1963 . .	46,058	79	18	3
1964 . .	48,415	79	18	3

This table shows that more than three fourths of the total number of factories are small-sized employing less than 50 workers, and, therefore, fall outside the scope of the Act to provide a creche.

7.34. It is thus evident that the scope of the legal provision relating to creches is limited and covers only a small fraction of the factories (organised sector) employing 50 or more women workers and, therefore, further enlargement of the scope of the provision is considered essential.

7.35. Taking all aspects into consideration the Committee is of the view that such limit is not justified in workers' interest as every worker covered under the labour laws should enjoy, as far as possible, equal amount of amenities and facilities which are made available to his counterparts elsewhere. But at the same time we cannot overlook the fact and we are also conscious that limitation becomes necessary in view of the financial and economic condition of the small undertakings as well as difficulties involved in the enforcement of statutory provisions. It has also been clear to us that no account of rules/regulations would serve a positive purpose unless they are observed in a true spirit as it is not compulsion but an understanding and an attitude towards welfare which matters more.

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7.36. Having regard to above considerations, the Committee takes the view that a periodical review of the existing limits is desirable and feels that the State Governments may be empowered to suitably alter the limits, wherever the situation warrants such alterations, in the interest of the women workers employed in a particular unit.

7.37. The Committee is more or less inclined to agree with the views expressed by the Government of Bihar that "there should be a proviso empowering the State Government or the Chief Inspector to direct the factory employing less than 50 women workers to provide a creche if women workers with children are employed in the factory and if it is considered that a creche is necessary for the factory". In view of the above, Committee recommends that the facility of a creche should not be withdrawn by the employers even if number of women employed in a particular industrial establishment fluctuates between 40-50 workers. It further recommends that the Factories Act be so amended as to provide for a creche in an industrial establishment where either 40 women workers or 20 eligible children of working mothers are to avail of the creche facility irrespective of the number of working mothers.

Common creches for small units

7.38. The Committee has also given careful consideration to the problems of smaller industrial establishments employing a sizeable number of women workers. According to the existing provisions of the Factories Act only those industrial units are required to provide and maintain creches which employ more than 50 women workers. As such quite a large number of units do not fall under this category even though these units may be employing a good number of women workers.

7.39. In this connection, there has been a broad measure of agreement among the interests concerned that the smaller industrial units employing women workers, and situated in a contiguous compact area, should provide common creches for the use of children of the employed women workers. The Committee, therefore, recommends that the smaller industrial establishments, situated in a contiguous compact area and each employing 10 or more women workers, should arrange for common creche facilities on joint basis. The expenses incurred on the provision and maintenance of these facilities should be divided proportionately on the basis of the number of married women employed in each participating unit. The administrative arrangements for the provision of creches may be entrusted to a statutory body having representatives from employers, workers and State Government officials, the representative of employers are to be selected on the basis of the number of women workers employed by each participating unit.

Provision of nurseries/kindergartens in the creches.

7.40. Another important aspect which has engaged the attention of this Committee has been the provision of nurseries/kindergarten classes for the children attending the creches. The views on this issue are divided. A large number of respondents, including State Governments, have favoured the idea for the provision of nursery classes in the creches on the ground that such facilities are

essential for the children between the age 3 and 6. On the other hand, a number of parties have suggested that the responsibility for providing education to the children should rest with the State Governments and not on employers. A few units have stated that as they have already arrangements for primary education in their townships provision of nursery classes in the creches would be redundant. The experience obtainable in foreign countries may be relevant in this connection. The practice of providing kindergartens is quite common in the countries of Eastern Europe as in these countries kindergartens are found attached to undertakings and in residential areas. In Middle East countries, the practice of providing kindergarten facilities is also prevalent but these are generally provided by social organisations. Thus provision of kindergarten facilities to the children of employed mothers forms an essential part of child care facilities in foreign countries. The oral evidence collected by the Committee also reinforces this view that nurseries should also be attached to the creches so that the elementary educational needs of the children in the age group 3-6 may also be properly taken care of.

7.41. The Committee after having given careful consideration to all these views recommends that the provision of nurseries/kindergarten classes in creches is essential for the proper up-bringing and growth of children and they should form an integral part of the creche facilities. The Committee further feels that these elementary schooling facilities should be available to all the children belonging to the age group of 3 years and above attending the creches. Regarding the responsibility for financing this additional measure it has not been possible for the Committee to arrive at any unanimous decision and we leave it to the State Governments, local bodies and employers to decide.

Community Creches.

7.42. The Maharashtra Government have suggested that the Labour Welfare Board can arrange for creches near the workers' homes and a provision may be made, whereby in lieu of creches to be maintained by the employer, the employer can

contribute his proportionate share, on the basis of the number of married women workers employed by him, to the Labour Welfare Board on account of provision and maintenance of a creche in the residential areas of the workers.

7.43. The oral evidence tendered before the Committee also supports that facilities of creches should be provided in the workers colonies with the assistance of local bodies, employers etc., as combined efforts in this direction can go a long way in helping the working mothers.

7.44. Taking into consideration all the above views the Committee feels that the setting up of creches near residential areas of workers is desirable as they will not only solve the problem of transport difficulties experienced by the working mothers but will also be better utilised. The Committee, therefore, recommends that with a view to meeting the appropriate needs of the children of the employed women workers the municipalities, local bodies and State Governments should set up community creches near the residential areas or central places in big cities and towns so that the working mothers are able to utilise this amenity to the maximum possible extent. Creches should also be provided in the labour colonies specially for the benefit of such workers whose place of duty is far away from their residence.

Provision of creches to women workers employed through contractors in factory establishments.

7.45. Some of the factories, viz., iron and steel, cement, cotton textile, jute textile etc. are employing a sizeable number of women workers through contractors and are not being provided with any statutory welfare facilities which are available to the women workers employed departmentally by the employers. The Committee, therefore, recommends that wherever women are employed in factories through contractors suitable creche facilities should also be made available to the children of the employed mothers and the contractors should be made responsible to bear the cost for the provision of these facilities through the principal employer.

CHAPTER VIII

HOUSING FOR FACTORY WORKERS

Housing.

8.1. Housing being a basic human necessity needs a very high priority in any scheme of national planning and industrial development. Living conditions have a considerable bearing on health, efficiency and welfare of a worker and are conducive to increased productivity. Thus expenditure on housing is no longer a non-productive investment.

Early References to Industrial Housing.

8.2. As early as in 1918 the Indian Industrial Commission realised the importance of housing for industrial workers and felt that a solution for the health and efficiency of the industrial workers lay in providing cheap, healthy and adequate accommodation to them. The same view was given further prominence by the Royal Commission on Labour a decade later. The Commission in its report emphasised the urgent necessity for improving the housing conditions of industrial workers and suggested various measures such as adequate space, ventilation, light, latrines, drainage and other sanitary arrangements.

8.3. The Commission made a comprehensive survey of over-crowding, mortality rates, conditions prevailing in *bustees* of Calcutta, the housing schemes of employers in Howrah, housing scheme of jute mill areas, the *chawls* of Bombay, the *cherries* of Madras, housing conditions obtainable in Kanpur, Ahmedabad, Nagpur, different mining areas and housing provided by railways.

8.4. On the basis of its observations the Commission out-lined the role that Government, local boards, municipalities, employers and cooperative societies could play in improving the situation of housing.

8.5. The observations of the Royal Commission on Labour were considered by some Provincial Labour Enquiry Committees. These Committees discussed various problems connected with housing for industrial workers and recommended to their respective Governments the need to formulate and execute necessary housing programmes.

8.6. In 1944 Labour Investigation Committee also reviewed in detail housing conditions in principal urban areas such as Bombay, Ahmedabad, Calcutta, Kanpur, Madras, Jamshedpur, etc., and came to the conclusion that industrial housing was, in general, far from satisfactory. The Committee felt that a clear long term housing policy was essential for improving housing conditions of the industrial workers.

8.7. The observations made by the Committees and Commissions referred to above were generally on the houses provided by employers themselves. Thus it could not be denied that the employers had not paid attention to the housing problems of the industrial workers but at the same time there was considerable scope for improvement.

I.L.O. on housing.

8.8. The need for workers' housing has also been emphasized at the international level. It will be relevant to refer to the deliberations of this international body on the question of housing. In its Recommendation (No. 115) the I.L.O. stressed the need that workers' housing should be a matter of national policy. The Recommendation states that :—

“In view of the fact that programmes of large-scale permanent housing construction may compete directly with programmes for economic growth and development—since scarce skilled and semi-skilled labour or scarce material resources may be needed for housing as well as for other types of production required for the expansion of production capacity—housing policy should be coordinated with general social and, economic policy, so that workers' housing may be given a degree of priority which takes into account both the need therefor and the requirements of balanced economic development”.

It further says:—

“Employers should recognise the importance to them of the provision of housing for their workers on an equitable basis by public agencies or by autonomous private agencies, such as cooperative and other housing associations, separate from the employers' enterprises”.

“It should be recognised that it is generally not desirable that employers should provide housing for their workers directly, with the exception of cases in which circumstances necessitate that employers provide housing for their workers, as, for instance, when an undertaking is located at a long distance from normal centres of population, or where the nature of employment requires that the workers should be available at short notice”.

8.9. The problem of housing in a developing country like India has a special significance in view of the increased tempo of industrialisation, greater urbanisation and influx of rural population in cities in recent years. It would be worthwhile to review as to how the problem of housing for industrial workers has been tackled in some of the developed and developing countries to evaluate efforts aimed at industrial housing in India.

Housing in foreign countries.¹

8.10. In developed countries it is not a general practice to impose legal responsibility on the employers to provide housing accommodation to their employees. Nonetheless in most of the countries large scale undertakings, especially in isolated and secluded places, have, on their own, taken the responsibility of providing housing to a large number of their workers. A few Governments have, however, sought the cooperation of employers for providing houses to the workers by

1. I.L.O. General Report on Welfare Facilities for workers in Industry, pages 28-30.

enacting legislation. In Italy and France the employers are legally obliged to contribute to the national low cost housing programmes without undertaking housing construction operations themselves. In Italy, the workers are also called upon to make contribution to the housing programme. Many of the larger undertakings in these two countries, as also in other countries of Western Europe grant loans at low rate of interest to their workers for the construction of their own houses. In Eastern Europe, most of the houses for the workers are built by local bodies. In many cases, however, the undertakings themselves build houses in consultation with the trade unions. In some of the countries, a portion of the 'works fund' of an enterprise, allotted to it out of the profits, is earmarked for the construction of houses for the workers.

8.11. In developing countries, the position is somewhat different. The legislative obligations to provide houses to the workers by the employers have been mainly confined to industries located at far off and isolated places. In several African countries, this was made obligatory because the workers were obliged to live away from their normal place of employment. In Japan, as also in India, there are Governmental schemes under which grants or loans, and sometimes both, are available to employers for the construction of workers' houses. In several countries statutory welfare funds for certain industries have earmarked sizeable amounts for the construction of houses for workers of those industries.

Subsidised industrial housing scheme.

8.12. The Government of India introduced an industrial housing scheme as early as in February, 1946 under which it agreed to allow a subsidy of 12½ per cent upto a maximum of Rs. 200 per house to the State Governments provided the State Governments also contributed an equivalent amount. This scheme evoked a very poor response.

8.13. The Industrial Housing Sub-Committee, appointed by the Standing Labour Committee in August, 1945, in its report submitted in the middle of 1946, *inter-alia*, recommended that provincial and Central Governments should between them provide long-term interest free loans for approved schemes. In addition to this the employers should give Rs. 2 per month per house allotted to them. It was also recommended that any deficit not covered by the interest free loan and employers' contributions should be made up by a further subsidy raised by some form of general taxation.

8.14. The Industrial Policy Resolution of 1948 also referred to the policy of the Government on housing. The Resolution states, "the Government of India are also taking special steps to improve industrial housing as quickly as possible. A Scheme for the construction of a million workers' houses in ten years is under contemplation and a Housing Board is being constituted for the purpose. The cost will be shared in suitable proportions between Government, employers and labour, the share of labour being recovered in the form of a reasonable rent".

8.15. In March, 1949, the Government of India drew up a revised scheme of industrial housing and decided that the capital required for industrial housing should be provided as interest-free loan to the extent of two-thirds by Central Government and one-third by the Provincial Government or by an employer sponsored by them. This scheme too, like the earlier one, had a poor response.

8.16 The First Five Year Plan came into operation in 1951. The 'Housing Policy' enunciated in the First Plan, enjoined upon the Central Government to accept a large measure of responsibility for financing the housing programmes in the industrial centres, where congestion and shortages had become very acute. The lead given on the Housing Policy in the First Five Year Plan carried into the subsequent Plans, resulted in the formulation of a number of social housing schemes."

Scope and coverage of the subsidised industrial housing scheme.

8.17. One of the schemes formulated was the subsidised Industrial Housing Scheme which applies to industrial workers employed in factory establishments. The Subsidised Housing Scheme came into operation in September, 1952. It envisages grant of a subsidy and a longterm loan at a reasonable rate of interest. The Scheme, as originally framed, has undergone many changes. Since April, 1966 it is known as Subsidised Housing Scheme for Industrial Workers and Economically Weaker Sections of the Community.

8.18. The benefits under the Scheme are available to workers who are covered under section 2(1) of the Factories Act, 1948 provided their wages do not exceed Rs. 350 per mensem. An allottee can retain the house even after crossing the wage limit of Rs. 350 per mensem till his income reaches Rs. 500 per mensem but the element of subsidy in the rent is to be gradually reduced.

The Scheme also provides that in addition to pucca houses (small two-roomed and regular two-roomed houses) the State Governments can provide

<i>Scheme</i>		<i>Year of Introduction.</i>
2.	(i) The Subsidised Housing Scheme for Industrial workers and economically weaker sections of the community.	1952 (revised in 1966)
	(ii) The Low Income Group Housing Scheme.	1954
	(iii) The Subsidised Housing Scheme for Plantation workers.	1956 (Revised in 1967)
	(iv) The Slum Clearance and Improvement Scheme.	1956
	(v) The Village Housing Project Scheme	1957
	(vi) The Middle Income Group Housing Scheme.	1959
	(vii) The Land Acquisition and Development Scheme.	1959
	(viii) The Rental Housing Scheme for State Government Employees.	1959
	(ix) The Jhuggi and Jhopri Removal Scheme (in Delhi).	1960

open developed plots, skeleton houses and hostel and dormitory buildings at lower rents for the eligible industrial workers, who cannot afford to pay rents prescribed for pucca houses.

8.19. The Committee in its questionnaire invited the views of the State Governments, employers' and workers' organisations and individual industrial units on the working, scope and coverage of the Scheme. There has been a consensus of opinion among concerned parties that the scope of the existing Scheme is limited and a sizeable number of workers lie outside its scope. The State Governments, employers' and workers' organisations have, therefore, suggested that the existing scope of the Scheme should be widened to cover more workers who at present do not fall within its purview.

8.20. The Committee after examining the various views/suggestions received by it feels that there are valid grounds for the enlargement of the scope of the existing Scheme, as at present it covers only a small portion of the workers. The Committee is also of the view that it would not be justified to cover certain categories of workers while to omit certain other categories of workers who are also covered under the Factories Act. Keeping in view the above facts the Committee recommends that the scope of the Scheme should be enlarged to cover the Government establishments which work as factories and whose workers are not covered under the definition of workmen under the Factories Act, 1948. Similarly the benefits of the Scheme should also be extended to certain categories of workers (drivers, helpers, fire-fighting staff etc.) who are not at present covered under this Scheme but are governed by the Industrial Disputes Act and the Factories Act and whose duties are incidental to or connected with the manufacturing process or are subject to a manufacturing process. The Committee further recommends that the factory workers of Government industrial undertakings which are run departmentally but do not have their own industrial housing schemes and are not liable to income-tax should also be benefited by the Scheme by allotting at least 2 to 5% of the total industrial houses for such workers.

8.21. In addition to the above, the money wages of the workers have gone up in recent years either as a result of bilateral agreements or through the institution of wage boards or on the basis of awards of the industrial tribunals or otherwise. The various State Governments such as Maharashtra and

Rajasthan, in their replies to Committee's questionnaire, have stated that all workers getting a salary upto Rs. 500 should be eligible for the benefits of the Scheme. The Committee feels that in view of the increase in money wages during the past few years, it would be justified if the workers drawing salary upto Rs. 500 are also covered under the scheme. The Committee after having examined the issue came to the conclusion that there is sufficient justification for upward revision in the existing wage limit of the Scheme, more so because the limit under the Industrial Disputes Act is Rs. 500 per mensem. The Committee accordingly feels that all persons defined as workers and drawing salary upto Rs. 500 per mensem as prescribed under the Industrial Disputes Act, 1947 should be made eligible to receive the benefits of Subsidised Industrial Housing Scheme. The State Housing Boards should, however, pay due regard to the needs of the lower income group workers for whose benefit the scheme is primarily meant.

8.22. In metropolitan cities like Bombay, Calcutta etc. where shortage of accommodation is most acute, it has been difficult for workers to secure alternative accommodation. In this connection, the State Government of Maharashtra is of the view that such workers should be allowed to continue in occupation of their tenements even after crossing the income limit of Rs. 500 p.m. on payment of economic rent till they can be provided with some alternative accommodation. The Committee feels that this is a genuine difficulty and the worker should be given some period of grace till he is able to find alternative accommodation. The Committee, therefore, recommends that the industrial workers even after crossing the wage limit prescribed under the Industrial Disputes Act, should be allowed to retain their tenements for a maximum period of 6 months on payment of economic rent to enable them to find out alternative accommodation.

Financial assistance under the subsidised industrial housing scheme.

8.23. The Scheme envisages grant of financial assistance to the State Governments who may utilise the funds themselves or disburse the same to statutory Housing Boards, local bodies, industrial employers and registered co-operative societies of industrial workers. The pattern of Central assistance as applicable to the three approved construction agencies alongwith the period of repayment of the loan is given in the table below* :—

TABLE I

Construction Agency.	Central assistance provided on the basis of ceilings fixed. (Percentage)		Share of the approved agency (Percentage)		Years of repayment of loan.
	Loan	Subsidy	Workers	Employers	
1. State Governments, Statutory Housing Boards & Municipal Bodies	50	50	..	..	30
2. Registered Cooperative societies of Industrial workers	65	25	10*	..	30
3. Industrial Employers†	50	25	..	25	15 to 25

*This amount can be drawn as non-refundable loan from workers' Provident Fund Accounts.

†The Pattern of financial assistance in the case of factory establishments registered as cooperative societies is on the basis of 65 per cent loan and 25 per cent subsidy.

Statutory bodies, corporations or companies owned in part or full by the Central or State Governments if liable to income-tax, are also entitled to assistance under the Scheme.

3. Source.—Ministry of Works, Housing & Supply.

8.24. We have also received suggestions in regard to upward revision in the loans and subsidy granted to employers under the Scheme. In this connection, the Government of Rajasthan have proposed that the proportion of loan and subsidy to the employers under the Scheme be increased from 50 to 70% and from 25 to 30% respectively. The All India Manufacturers' Organisation, Bombay has also suggested that either the subsidy under the Scheme be raised from 25 to 50% or the present ceiling costs be enhanced by 50% to encourage employers to undertake construction of more houses for their workers.

8.25. We have examined these suggestions and keeping this fact in view that the existing ceiling costs prescribed under the Scheme are not in commensurate with the actual cost of construction particularly in metropolitan areas like Bombay and Calcutta have recommended periodical revision in the ceiling cost elsewhere.

8.26. The ceiling cost of houses on the basis of which financial assistance is granted to various agencies has also been fixed. Ceiling cost and subsidised rents prescribed for various types of dwelling units under the Scheme are indicated below⁴ :—

TABLE II

Places	Ceiling Cost	Subsidised rent based on 50% subsidy (per month)
1	2	3
1. For places outside Bombay, Calcutta & their industrial areas.	Ranging from Rs. 1,850 to Rs. 8,050.	Ranging from Rs. 7.00 to Rs. 32.00
2. In Bombay, Calcutta & their Industrial areas.	Ranging from Rs. 2,800 to Rs. 10,600.	Ranging from Rs. 11.50 to Rs. 48.50.

(The Ceiling costs and the rents indicated above can however be increased in view of certain specified special considerations).

8.27. It has been suggested to this Committee that in view of the increased cost of land and building materials the ceiling cost fixed by the Government has become outmoded and the employers are feeling considerable difficulty in availing of the financial assistance granted under the Scheme. The Committee, therefore, feels that **the existing ceiling cost prescribed for construction of various types of houses under the Scheme should be revised wherever necessary keeping in view the rise in prices of land, building materials etc.**

Progress of housing under the subsidised industrial scheme.

8.28. Before we delve into the subject we feel it would be necessary to examine the dimensions of the problem and the progress made so far in the field of industrial housing. According to the available statistics, since the inception of the Scheme in 1952, a total of 1,62,862 houses had been con-

structed till the end of March, 1968. Out of these 1,26,153 (78%) were constructed by the State Governments, 31,315 (19%) by the employers and the remaining, 5,394 (3%) by the co-operative housing societies. The Statewise progress of the Subsidised Industrial Housing Scheme under various agencies is given below.

TABLE III

STATEMENT SHOWING THE NUMBER OF HOUSES CONSTRUCTED BY THE STATE GOVERNMENTS EMPLOYERS AND CO-OPERATIVES UNDER THE SUBSIDISED HOUSING SCHEME FOR INDUSTRIAL WORKERS FROM 1952 TILL 31ST MARCH, 1968.

State	Number of houses constructed by			Total
	State Govt.	Employers	Cooperatives	
1	2	3	4	5
1. Andhra Pradesh	4,434 (86.67)	509 (9.95)	173 (3.38)	5,116 (100)
2. Assam	303 (54.20)	256 (45.80)	..	559 (100)
3. Bihar	9,347 (66.51)	4,707 (33.49)	..	14,054 (100)
4. Gujarat	19,488 (88.24)	1,377 (6.24)	1,220 (5.52)	22,085 (100)
5. Jammu & Kashmir	..	..	..	..
6. Kerala	250 (25.77)	720 (74.23)	..	970 (100)
7. M. P.	7,684 (70.60)	2,178 (20.01)	1,022 (9.39)	10,884 (100)
8. Tamil Nadu	3,037 (53.07)	742 (12.97)	1,943 (33.96)	5,722 (100)
9. Maharashtra	28,511 (86.08)	4,160 (12.56)	451 (1.36)	33,122 (100)
10. Mysore	5,190 (48.91)	5,311 (50.05)	10 (1.04)	10,611 (100)
11. Orissa	1,210 (36.03)	2,148 (67.97)	..	3,358 (100)
12. Punjab & Haryana	2,514 (48.16)	2,332 (44.67)	374 (7.17)	5,220 (100)
13. Rajasthan	2,397 (64.26)	1,333 (35.74)	..	3,730 (100)
14. Uttar Pradesh	27,314 (94.72)	1,479 (5.13)	43 (0.15)	28,836 (100)
15. West Bengal	11,810 (76.85)	3,558 (22.15)	..	15,368 (100)
16. Delhi	2,664 (84.12)	445 (14.05)	58 (1.83)	3,167 (100)
ALL INDIA	1,26,153 (77.46)	31,315 (19.23)	5,394 (3.31)	1,62,862 (100)

NOTE.— Bracketed figures indicate percentages.

4. Source.—Ministry of Works, Housing & Supply.

5. Source.—Ministry of Works, Housing and Supply.

8.29. Apart from the progress made under the Subsidised Industrial Housing Scheme, the employers are also providing housing facilities to their workers of their own accord. In bigger industrial establishments, the employers have provided houses to a sizeable number of workers. In this connection, the Indian Jute Mills Association has stated that about 40% of the workers have been provided housing facilities in the jute mills. Similarly the Millowners' Association, Bombay has said that 20 member mills have provided 5,000 tenements to their employees. These tenements consist of single as well as double rooms. All the public sector units have also built their own townships and are providing housing facilities to a sizeable number of workers. The Labour Bureau, Simla also collected some data on housing for selected industries on a random sampling basis during their surveys of labour conditions. The data collected from the reports of the survey of labour conditions giving the extent of housing in some of the industries are presented below in Table IV.⁶

TABLE IV

STATEMENT SHOWING THE EXTENT OF HOUSING ACCOMMODATION PROVIDED IN VARIOUS INDUSTRIES DURING 1960-61/1961-62 AND 1965-66.

Industry	Estimated percentage of units providing accommodation.	Estimated percentage of workers allotted housing accommodation.	Estimated number of houses provided.
1. Cotton Textile .	27.3	5.9	55,552
2. Jute	93.7	28.6	N.A.
3. Silk	7.0	6.0	5,416
4. Cement	85.3	31.2	9,000
5. Textile Machinery .	6.1	7.7	1,989
6. Bicycle Factories. .	42.5	10.0	865
7. Sugar	65.2	35.7	5,500 (approx.)
8. Electrical Machinery	32.4	3.2	119
9. Metal Rolling . . .	39.4	5.5	N.A.
10. Metal Founding . .	10.1	2.4	755
11. Woollen	40.6	14.0	N.A.
12. Bolts, Nuts, Nails Springs & Chains.	5.8	3.0	129
13. Metal Extracting & Refining. .	66.8	26.3	N.A.
14. Machine Tools . . .	20.0	2.3	88
15. Railway Workshops	86.6	24.5	N.A.
16. Agricultural Implement.	28.0	3.1	547
17. Ship Building & Repairing.	68.8	4.5	N.A.
18. Match	16.2	5.0	N.A.
19. Cashewnut	1.8	0.02	N.A.
20. Motor vehicles Manufacturing and repairing factories.	18.6	7.4	N.A.

NOTE.—Bracketed figures indicate percentages.

6. Source.—Reports of Surveys of Labour Conditions in various Industries.

7. Third Five Year Plan, page 684.

8.30. Since the beginning of Industrial Housing Scheme in 1952, there has been an unprecedented expansion in industrial growth and employment, but the progress in industrial housing has not been commensurate with the requirements. In the public sector, however, the progress made in regard to housing is in general satisfactory as in the public sector units a sizeable number of workers have been provided with houses. But the public sector represents only a small portion of the labour employed in the factories as a whole.

8.31. Considering the total factory employment as 4.7 million (in 1966) and number of houses constructed under the Subsidised Industrial Housing Scheme as 0.16 million till end of March, 1968, it will be evident that in relation to requirements the progress made so far has not been at all satisfactory. For example, out of total of 1,62,862 houses built under the Scheme till March, 1968 only 31,315 (19.23%) had been built by the employers. Of these, a large number of houses had been built by public sector undertakings. This shows that employers have not effectively participated in the Scheme. Keeping in view the overall shortage of houses and the inadequate response from the employers, we feel that some element of compulsion on the employers to provide houses to a certain percentage of their workers is essential. The various State Governments as well as workers' organisations in their reply to Committee's questionnaire, have also suggested that the employers should provide houses to a certain percentage of their workers. This percentage, however, varies from 10 to 50. It has also been suggested to this Committee that no new project should be approved unless the prospective employer is willing to provide housing to a specified percentage of workers in a phased manner. The Indian Labour Conference in their 15th session held in 1957 also felt that it should be incumbent on employers to provide at least a reasonable number of houses for their workers. In this connection, the Third Five Year Plan also observed: "Despite the steps which have been taken to make the industrial housing scheme more attractive to employers, much progress cannot be achieved without the employers generally accepting the housing of a substantial portion of workers as an essential obligation. . . . For instance, new establishments with a prescribed limit of paid up capital (say Rs. 20 lakhs or more) could be placed under the obligation of constructing one half of the housing required by their labour over a period of perhaps 10 years".

The Housing Ministers' Conference held in November, 1967, was also of the view that employers should be persuaded to build houses for at least 10% of the eligible industrial workers.

8.32. It has also been suggested to this Committee by a few State Governments as well as several workers' organisations in their written replies as well as oral evidence that a certain percentage of the workers should be provided with housing accommodation by the employers. The employers, on the other hand, have maintained that the housing (being a social responsibility) should be provided by the State and should not be their statutory obligation.

8.33. The Committee after having examined all aspects of the problem has come to the conclusion that the employers cannot be absolved of their responsibility to provide accommodation to a certain percentage of their workers. Housing is a statutory obligation in plantations and about 8% of the resident workers are to be provided housing every year. Similarly in the coal and mica mines which, between them, employ nearly $\frac{1}{2}$ million workers,⁸ the statutory welfare fund organisations are devoting considerable part of their resources in providing houses.

Moreover, the Committee has also separately dealt with housing in mines and recommended that in collieries 20% of the workers should be provided with houses by the employers and the rest 80% by the Coal Mines Labour Welfare Fund. The Committee thus considers it desirable that a certain percentage of workers should also statutorily be provided with houses by industrial establishments other than plantations and mining industries. The Committee, therefore, recommends that an all-India enabling legislation be brought into being to give legal shape to this recommendation keeping, however, in view the nature and location of the industry.

8.34. A study on 'Tax Incidence on Housing' conducted by the 'National Council of Applied Economic Research' New Delhi has revealed that the taxes and fees add to the investment cost on housing which vary on an average from 5 to 12% and also act as a disincentive to investment in housing. The All India Manufacturers' Organisation in its reply to Committee's questionnaire has stated that the municipalities charge taxes on houses from the employers on market rates and not on actual rents received under the Subsidised Industrial Housing Scheme. The Organisation has thus suggested that the municipal taxes should be based on the actual rent realised by the employers from their employees.

8.35. The Study Group on Greater Bombay set up under the chairmanship of Shri S. G. Barve, in its report has also recommended that the employers should be granted relief from income tax. The municipal taxes should be based only on actual rent of the houses received by the employers. The Committee feels that the employers may be given some relief in taxes so as to invest greater amount in housing. We, therefore, recommend that the employers may be given exemption or rebate from taxes for the amount spent on construction of houses for industrial workers.

Housing by cooperative housing societies.

8.36. The role of the co-operative societies in providing houses to their member-workers is too well known to need any further emphasis. The advantages of co-operative housing are many: it leads to substantial economy in the cost of planning, designing and construction of houses, it helps in training people in co-operative way of living by imbuing the spirit of self help and mutual co-operation. However, the part played by the industrial workers cooperative housing societies has not been significant. Out of total 1,62,862 houses built under the Subsidised Industrial Housing Scheme till March, 1968, the cooperative societies

were responsible only for the construction of 5,394 houses viz., about 3%.

State Cooperative housing societies in Andhra Pradesh, Maharashtra, Gujarat and Tamil Nadu are reported to have made satisfactory progress and have received substantial loans from Life Insurance Corporation. The importance of cooperative societies in solving the housing problems of their members has been emphasised by the State Governments, employers' and workers' organisations and individual industrial units. We are of the opinion that if the working of the housing cooperatives is streamlined and if these are placed on sound footing they can play an effective role in the programme of housing. We thus strongly feel that the states where the cooperative housing societies have not made sufficient headway should initiate necessary steps urgently to encourage the development of such cooperative housing societies amongst industrial workers and should provide suitable facilities to enable such societies to construct houses for their members.

Specifications and standards of housing.

8.37. The First Five Year Plan which was launched in 1951 while laying down the framework for industrial housing policy also recommended minimum standards of houses to be constructed taking into account the needs of health and privacy of the workers. These minimum standards were (a) a single-storeyed tenement with a carpet area of 220 square-feet (and an enclosed space of about 250 square-feet) comprising a living room, a kitchen, a verandah and a water-flushed latrine in smaller towns and (b) multi-storeyed buildings with each tenement having a carpet area of about 240 square feet comprising a living room and a kitchen, bath room and latrine being shared by a group of flats.⁹

8.38. No reliable data about the conditions of workers' dwellings are available in the country. However, to have an idea about the changes in housing conditions we have mainly relied upon the reports of the Family Living Surveys conducted by the Labour Bureau Simla in 1958-59 in important industrial centres in the country. The relevant information about the type of dwellings, conditions of repairs, provision of ventilations, provision of bath rooms and latrines etc. in important factory centres for which the reports have so far been published is given in Annexures I and II. It would be seen from the Annexures that most of the sampled families in the industrial centres were residing in buildings which were of the type of chawls/bustees as distinct from independent buildings or flats etc. The proportion of such families was very high in all large industrial centres like Bombay, Calcutta, Ahmedabad and Jamshedpur. The conditions of repair were generally good or moderately good. Similarly, sewage arrangements were also satisfactory or moderately satisfactory. Ventilation arrangements were by and large good or tolerable except in Calcutta, Delhi and Madurai.

Dwellings were found to be mostly comprised of one living room, particularly so in large cities. Separate provisions for latrines and bath rooms were broadly speaking conspicuous by their absence. The use of common latrines was the general practice.

8. Page 47 (Table 2.5) of the Indian Labour Statistics 1968.

9. First Five Year Plan, page 601.

8.39. The Committee have also received views of the State Governments, trade unions and other parties concerned on the housing standards of workers and it would be useful to quote some of these replies. The Bihar Government have stated that majority of the workers have unsatisfactory accommodation. Most of the existing housing facilities provided to workers are not of adequate standard and need considerable improvement. The Government of Punjab have stated that existing housing facilities are not of a satisfactory standard. The houses lack proper hygienic facilities and there is a great scope for improvement in this regard. The Indian Jute Mills' Association in its reply has stated that the standard of the houses provided to the jute workers do not conform to the minimum standard laid down under the Subsidised Industrial Housing Scheme. Similarly the Indian National Trade Union Congress is of the view that the existing housing facilities are not of adequate standard and has suggested that the specifications should provide more space, better comforts and compound walls with water and electricity facilities.

8.40. It is true that some of the leading and big industrialists have provided good housing accommodation to their workers. Similarly the public sector units have set up their own townships and have provided satisfactory accommodation to a sizeable number of their workers. These are, however, exceptions rather than a rule.

8.41. Thus it would be seen from the foregoing pages that on the whole the conditions of housing remain more or less similar to those which were reported by the Royal Commission or the Labour Investigation Committee long ago.

8.42. It is commonly accepted now that bad and unsatisfactory housing conditions impinge on the health and efficiency of the workers. Besides this, the number of sub-standard houses in the vicinity of factories have tended to intensify overcrowding and congestion in the industrial centres which in turn have resulted in the enhancement of both sickness and mortality rates. We feel that standards and specifications laid down under the Subsidised Housing Scheme are the basic minimum from the point of view of civic and hygienic conditions for the workers residing therein. We, therefore, recommend that with a view to improving the housing conditions of the workers, it becomes essential that the minimum standards and specifications laid down in the Subsidised Housing Scheme in respect of the scale of accommodation for industrial workers should be strictly adhered to.

8.43. The replies received and the oral evidences adduced before the Committee also reveal that the houses constructed under the Subsidised Industrial Housing Scheme have not been fully utilised owing to a variety of reasons. Among the reasons mentioned are: delay in providing essential community services; distant location of houses from the work place; absence of proper sanitary and hygienic conditions; absence of roads etc. This has resulted in non-occupation of houses by the workers and have also resulted in the loss to the State Governments in the form of rents etc. It, therefore, becomes essential that wherever houses are constructed, community services such as schools, dispensaries, roads, provision of electricity and

water etc., should be made. Unless these essential facilities are provided in the housing colonies, the workers may not like to occupy them and the purpose of construction of houses may not lead to the desired results. The Committee recommends that **these elementary civic facilities should be provided wherever industrial houses are provided and repairs should also be undertaken by the appropriate authorities concerned periodically.**

8.44. It has also been reported to this Committee that there is a common practice of sub-letting houses by the industrial workers. It, therefore, seems essential that the allotment rules should be suitably amended empowering the competent authorities eviction of unauthorised occupants. In view of the above the Committee recommends that the legislation should be enacted to enable the employers to secure eviction of unauthorised sub-lettees.

Housing Finance.

8.45. As stated earlier, the housing programme under the Subsidised Industrial Housing Scheme has not progressed satisfactorily owing to a variety of reasons. Among the various factors which can be ascribed for the slow progress of housing programme include low priority to housing schemes and diversion of funds to other developmental programmes by various State Governments; scarcity of land in and around growing cities, high cost of land and building materials and lack of adequate finances. The replies received from various State Governments to the Committee's questionnaire reveal that the State Governments have not accorded due priority to the housing programmes and over and above it they have diverted funds allocated to housing to other developmental heads. It is also true that keeping in view the overall needs of the economy, the allocations made by the Centre for housing programmes to the States have been generally low. But the point that needs to be stressed here is that even these small allocations made for housing purposes have remained unutilised by the State Governments and sometimes they have been diverted to other heads such as agriculture, irrigation, transport and electricity etc. The available data¹⁰ in this connection, are presented below:—

TABLE IV

(Rupees in crores)

Plan	Amount allocated	Amount drawn by State Govts.	Short-fall	Percentage of shortfall (Col. 4) to the amount allocated (Col. 2)
1	2	3	4	5
First Plan .	25.00	13.29	11.71	46.84
Second Plan	27.00	22.25	4.75	17.59
Third Plan .	29.80	22.31	6.49	21.78
Fourth Plan	34.00	..	..	..

10. Source.—Ministry of Works, Housing and Supply.
11—3 L & E/69

8.46. It would be seen from the above table that out of the total amount of Rs. 81.80 crores allocated by the Centre to the various State Governments over the three plan periods only an amount of Rs. 57.85 crores was drawn and utilised for construction of houses. Thus there was a shortfall of Rs. 23.95 crores between the funds allocated and utilised. In other words, about 29.3% of the funds remained unutilised over the three plan periods. This non-utilisation of the funds has resulted in the shortfall of the houses planned and constructed over the period 1951 to 1966. Statistics¹¹ regarding houses planned in the various Five Year Plans and the houses actually constructed are given below :—

TABLE V
(dwellings in thousands)

Plan	Number of Housing Units		Percentage of shortfall
	Planned	Built	
1	2	3	4
First Plan . . .	74	42	43.24
Second Plan . . .	64	62	3.12
Third Plan . . .	78	55	29.49
Fourth Plan . . .	150	..	..

It would be noticed from the above table that during first three plan periods, 216 thousand dwellings were planned. Out of these only 159 thousand dwellings were constructed and thus there was an overall shortfall of 26.4% over the period of first three plans.

8.47. The State Governments have stated that the funds allocated by the Centre to the States for housing programmes are inadequate and if more funds could be made available to them the performance regarding housing could be improved. The Housing Ministers' Conference held in November, 1967 also recommended that the State Governments should earmark at least 10% of the funds for housing in their annual State plans and that the funds once provided should on no account be diverted to other heads of development.

8.48. The Committee after having examined the available statistics feels that the performance regarding housing would have been better if more funds had been made available to the States and if the funds provided had been fully utilised by the State Governments. The Committee, therefore, recommends that the State Governments should exercise self-control in diverting the funds once allocated for houses to other heads and utilise the amount for construction of houses. Centre should also come forward with more financial assistance in cases where more funds for the construction of houses are sought for.

8.49. Another equally important factor which has hindered the progress of housing has been the paucity of land in and around big industrial cities

and high cost of land and building materials. The various parties in their replies to Committee's questionnaire have suggested that the State Governments should take steps to acquire land where new industries are to be set up and this land after development should be made available to the agencies undertaking construction of houses. The workers' representatives during the course of their oral evidence at Madras impressed the necessity of providing housing sites near factories. Moreover, in view of the high prices for land, it is not possible for the individual industrial employers to purchase land and construct houses for their workers. We are of the view that provision of land and building materials are basic to any programme of housing and therefore feel that the responsibility for making land and building materials available at reasonable prices should rest with the concerned Governments. We, therefore, recommend that the State Governments should acquire land near and around industrial areas which after development should be made available at reasonable rates to housing boards, workers housing cooperatives and industrial employers to build up housing colonies for industrial workers.

8.50. There is a general consensus of opinion among the parties concerned that task of financing industrial housing is a stupendous one, involving huge long-range investments in housing projects. This in turn calls for availability of funds at lower rates of interest on long term basis on a scale larger enough to meet the housing requirements of the industrial workers. The Committee feels that if the housing finance is to be provided on the required scale, there will have to be energetic and coordinated action by all the financing agencies which at present provide finances for various housing programmes. Some of the State Governments in their replies to Committee's questionnaire have stated that lack of funds has been the main hurdle in the progress of the housing and unless sufficiently huge and long term investment is available the progress in this field will remain slow. It is, therefore, necessary that substantial and suitable sources of finance may be explored to provide adequate funds for housing programmes.

State Housing Boards.

8.51. The State Housing Boards¹² have been constituted to implement various social housing schemes. We feel that the statutory Housing Boards are playing a useful role as they serve a channel between the State Governments and construction agencies. The Committee, therefore, feels that without setting up State Housing Boards, it would not be possible to raise funds speedily to execute housing schemes and also look after the maintenance of the houses.

8.52. The Housing Boards are performing multifarious functions. Apart from construction of houses, they have to arrange for their maintenance and sanitation etc. The Housing Boards can also secure additional resources for housing from open market through issue of debentures; they can undertake bulk acquisition and development of the land; they can manufacture building materials at reasonable cost by setting up brick and lime kilns, sand and stone quarries and for timber seasoning and treatment plants etc. They can also provide

11. Source.—Ministry of Works, Housing and Supply.

12. At present there are eight Housing Boards in Seven States, one each in Andhra Pradesh, Gujrat, Tamil Nadu, Madhya Pradesh, Mysore, Uttar Pradesh and two in Maharashtra.

administrative, technical and other services to the house builders and assist them in the procurement of land and building materials, coordinate and regulate the activities of various agencies at the State level. In addition the Housing Boards can also help in the utilisation of funds allocated to the State Governments through proper planning of financial outlays and building targets in the States. The Committee, therefore, recommends that **each State should have an autonomous Housing Board for construction and maintenance of houses. This Board should earmark a minimum of 20% of its finances for construction of houses exclusively for industrial workers.**

8.53. The Housing Ministers' Conference held in November, 1967 recommended that the Housing Boards in the States should be permitted to raise debentures and utilise part of their funds on a commercial basis for augmenting resources for housing programmes. It was further recommended that these Housing Boards should also be allowed to set up revolving funds out of the profits of such commercial utilisation. While the Housing Boards should harness these sources, the employers should also come forward to advance loans to them at reasonable rate of interest in order to augment the resources of these autonomous Boards for providing more housing facilities to the industrial workers.

Central Housing Board.

8.54. As suggested earlier by this Committee, the setting up of autonomous Housing Boards in every State will no doubt go a long way in accelerating the programme of housing for industrial workers. However, the establishment of Housing Boards alone will not achieve the desired objectives unless there is some central agency to coordinate and regulate the work of these Boards at national level. The setting up of a Central Housing Board at the apex will be useful in tapping private savings to provide additional resources for housing programmes and in encouraging the flow of credit on easy terms through insured mortgages, improved lending practices etc. We, therefore, feel that as recommended in the Third Five Year Plan the **Central Housing Board should be constituted without any further delay. We further consider it essential that the initial capital of a substantial amount to meet the needs of such a Board for the first few years should be provided by the Central Government out of its Plan funds.**

Life Insurance Corporation and Employees' Provident Fund.

8.55. The State Governments need a more reliable and substantial source for the execution and implementation of the bulk of their housing programmes. Moreover, housing is necessarily in the nature of a longterm investment and the Life Insurance Corporation which is primarily interested in a steady and safe return on its investment over a long period can be eminently suitable and serve as a major source of funds. The Life Insurance Corporation has been increasing its loans for house building under various schemes and State co-operative housing societies in Maharashtra, Gujarat and Tamil Nadu have received substantial loans from this source. During the course of Second and Third Five Year Plans, the funds of Life Insurance Corporation (Rs. 77.14 crores) were allocated for various housing schemes such as low income group housing, Plantations Labour Housing, Village Hous-

ing Projects, Land acquisition and Development, Middle Income Group and Rental Housing schemes etc. In the Fourth Five Year Plan, an amount of Rs. 150 crores is estimated to be provided by the Life Insurance Corporation and the Employees' Provident Fund for various housing schemes. The Committee feels that Life Insurance Corporation can play a very prominent part in providing substantial finances on long-term basis for the Subsidised Industrial Housing Scheme. It has also been emphasised in the replies as well as oral evidences that Life Insurance Corporation and Commercial Banks should come forward and extend loans for constructing houses for the industrial workers. The Workers' representatives have also suggested that the Life Insurance Corporation should provide loan facilities to workers by reducing the existing minimum insurance limit of Rs. 12,500 for house construction loans with a view to providing incentives to workers who wish to own or build their own houses.

8.56. The Committee, therefore, recommends that the **Life Insurance Corporation of India and the Central Provident Fund should also make substantial advances to Housing Boards for being spent exclusively for Subsidised Housing Scheme for Industrial Workers. If this involves some amendments in the Life Insurance Corporation and the Provident Fund Acts, these may be brought about urgently keeping in view the necessity for such advances.** The Committee further recommends that **additional releases from small savings over the present 2/3rd released to the State Governments should be permitted to be utilised for augmenting the resources for the housing of industrial workers.** This will also be in line with the recommendation of the International Labour Organisation which, *inter alia*, says that "provident funds and social security institutions should be encouraged to use their reserves available for long-term investment to provide facilities for loans for workers' housing".

8.57. It has been reported to this Committee that in Mysore two banks have set apart Rs. 50 lakhs each and the State Government have given a matching loan to evolve a housing fund to help in solving the housing problems. The Committee feels that the steps taken by the Mysore State are most welcome and the other States should also examine the possibility of constituting such funds to provide suitable loan facilities to the parties who undertake construction of houses for industrial workers.

8.58. So far we have discussed various aspects relating to industrial housing such as scope and coverage of the Subsidised Industrial Housing Scheme, housing finance, Housing Boards etc. In addition to these, there are certain other connected issues such as coordination amongst various housing agencies, research in housing techniques, sale of houses on hire-purchase basis, housing statistics and house rent allowance etc. These issues have been discussed in the succeeding paragraphs.

Need for coordination amongst various housing agencies.

8.59. The parties concerned in their replies to Committee have reported that at present a number of agencies such as municipalities, improvement trusts, State town planning boards, panchayats and local planning authorities in each State are undertaking housing schemes for workers and other low income groups. The multiplicity of such bodies

and lack of coordination amongst them has resulted in slow progress of the housing programmes. The Indian Labour Conference in its 15th session also stressed the need for greater coordination in various departments of the State Governments in this respect. **The Committee is, therefore, of the opinion that for proper implementation of housing schemes for workers there is definitely a need for effective coordination to control all land development, town planning and house building activities at the State level.**

Need for research in house building techniques.

8.60. Problem of the industrial housing being colossal, huge financial resources are needed for the purpose. The need for reduction in the cost of housing is necessary and research and evolution of new techniques of house building seem to be imperative to provide cheap housing facilities to industrial workers. The National Building Organisation is already devoting considerable attention to this aspect. Recently in the experimental housing projects which have been undertaken in the central sector some of the latest building techniques are being tried. It is stated that adoption of these new techniques can lead to 5 to 10% saving in the construction cost. Besides use of pre-fabricated materials in place of old methods can go a long way in keeping the cost of construction at a low level. Considering the dimensions of the problem and availability of resources it seems essential that sufficient attention is paid to the aspect of research in building techniques so that the workers are provided with maximum comforts in least accommodation at the lowest cost.

Sale of houses on hire-purchase basis.

8.61. A number of State Governments as well as other concerned parties in their replies to Committee's questionnaire have suggested that workers should be provided with houses on hire-purchase basis. The workers' organisations have also suggested that they should be given loan for this purpose. Under the Subsidised Housing Scheme the State Governments and the cooperative housing societies are allowed to sell houses to workers on hire-purchase basis, without the benefit of 25% subsidy. The Committee has examined this question in detail and feels that the sale of houses on hire-purchase system should be encouraged. This will enable the State Housing Boards or the cooperative housing societies to have a quick return on their investment in housing. The Committee, therefore, recommends that the **State Governments/Union Territories should encourage the Housing Boards or the cooperative housing building societies to sell houses on 'no-profit no-loss' basis or on hire-purchase system so that the investment in housing is not blocked for longer period, and the money thus realised could be**

further utilised for construction of more houses for the benefit of industrial workers.

Collection of housing statistics.

8.62. Another important aspect which needs special attention is the collection of housing statistics. At present except in the case of plantation no reliable statistics regarding the condition of housing and the size and nature of the dwellings etc. are available. This has been the main handicap in arriving at firm conclusions with regard to adequacy or otherwise of housing policy and financial requirements for industrial housing. The Five Year Plans have also emphasised the urgent necessity for the collection of housing statistics. The Committee, therefore, feels that necessary steps should be taken for the collection, compilation, and publication of housing statistics on all-India basis.

Provision of house rent allowance.

8.63. Alongwith the scarcity of houses, particularly in big industrial centres, the problem of rising rent is also making the position difficult for workers. As stated earlier, only a small percentage of workers are in possession of housing accommodation and a sizeable percentage of workers have to arrange for their own houses. The rents in big industrial cities are quite high owing to shortage of houses. This puts a considerable strain on the workers' wages. It is a general practice in the public sector undertakings that the workers who are not allotted houses are paid house rent in lieu thereof. In this connection, the Indian National Trade Union Congress has stated that the workers should be provided with house rent allowance as compensation against high rents. Although the Committee recognises the hardships caused to workers, particularly in big urban cities, it feels that the remedy lies in accelerating the construction of more industrial houses especially for workers in metropolitan cities. The Committee also hopes **that realising the difficulties of their workers, employers would also pay adequate attention to the provision of house rent allowance to such workers as are not allotted houses.**

8.64. It would be evident from the preceding paragraphs where various aspects of Subsidised Industrial Housing Scheme have been dealt with that the problem of housing for industrial workers has huge dimensions and needs to be tackled more effectively. We feel that some of the main bottlenecks from which the Scheme is at present suffering should be removed. These are lack of institutional frame-work; non-availability of land and adequate finance; high cost of building materials; absence of suitable incentives in the shape of tax-relief to the employers; and lack of coordination and co-operation amongst the construction agencies etc. We feel that the removal of these handicaps will go a long way in accelerating the industrial housing programme.

ANNEXTURE I

Percentage distribution of families by general characteristics of building as revealed by Family Living Surveys during 1958-59

Centres	Type of building Condition of repairs				Sewage arrangements		Ventilation arrangements			
	Chawls/ bustees	Flat/ Ind- ependent building etc.	Good/ Modera- tely good	Bad	Satis- factory Modera- tely Satis- factory	Unsatis- factory	No. Venti- lation	If Ventilation whether it is		
								Good/ tolera- ble	Bad	
1	2	3	4	5	6	7	8	9	10	
<i>Andhra Pradesh</i>										
1. Hyderabad	70	30	75	25	54	42	..	91	9	
<i>Assam</i>										
2. Digboi	90	10	97	2	79	21	..	82	18	
<i>Bihar</i>										
3. Jamshedpur	39	61	91	9	79	20	..	79	20	
<i>Delhi</i>										
4. Delhi	38	62	64	36	69	31	1	58	40	
<i>Gujarat</i>										
5. Ahmedabad	90	9	87	11	70	28	..	89	9	
6. Bhavnagar	40	59	93	5	59	29	..	95	3	
<i>Haryana</i>										
7. Yamunanagar	7	93	85	13	92	8	..	83	15	
<i>Jammu & Kashmir</i>										
8. Srinagar	..	99	59	40	43	39	..	90	9	
<i>Kerala</i>										
9. Alwaye	31	69	71	29	12	51	..	81	19	
9A. Alleppey	6	94	58	42	24	3	..	52	47	
<i>Madhya Pradesh</i>										
10. Bhopal	57	43	83	15	70	30	..	85	13	
11. Indore	78	22	80	19	62	36	..	78	18	
<i>Tamil Nadu</i>										
12. Coimbatore	16	84	89	11	77	22	..	83	17	
13. Madras	23	76	82	18	74	21	..	86	13	
14. Madurai	59	41	68	32	55	45	..	48	52	
<i>Maharashtra</i>										
15. Bombay	91	9	71	28	56	42	..	75	24	
16. Nagpur	64	35	87	12	74	25	..	88	11	
17. Sholapur	67	33	71	29	54	46	..	71	28	
<i>Mysore</i>										
18. Bangalore	60	40	86	13	81	19	..	86	12	
<i>Orissa</i>										
19. Sambalpur	15	85	90	10	78	22	..	95	5	
<i>Punjab</i>										
20. Amritsar	23	72	73	27	63	36	2	72	26	
<i>Rajasthan</i>										
21. Ajmer	12	88	72	28	58	41	..	65	35	
22. Jaipur	28	72	85	15	78	22	..	68	30	
<i>Uttar Pradesh</i>										
23. Kanpur	63	37	66	34	51	47	12	51	37	
24. Saharanpur	55	45	85	15	53	43	1	67	32	
<i>West Bengal</i>										
25. Calcutta	80	20	60	40	44	56	..	35	65	
26. Howrah	60	40	63	38	62	38	..	70	29	

NOTE: The percentage of columns may not necessarily add up to 100 on account of the exclusion of figures of the 'non-reporting' units.

Source.—Reports of the Family Living Surveys among industrial workers (Factory Centres) 1958-59.

ANNEXURE II

Percentage distribution of dwellings by various characteristics

Centres	Number of living rooms		Bathroom		Latrines	
	One	More than one	No bath provided	Bath provided but in common use	No Latrine	Latrine provided but in common use
1	2	3	4	5	6	7
<i>Andhra Pradesh</i>						
1. Hyderabad	65	34	62	15	12	71
<i>Assam</i>						
2. Digboi	57	43	80	3	13	61
<i>Bihar</i>						
3. Jamshedpur	54	46	68	12	18	48
<i>Delhi</i>						
4. Delhi	85	13	75	20	11	82
<i>Gujarat</i>						
5. Ahmedabad	90	10	84	5	7	83
6. Bhavnagar	60	38	86	3	34	60
<i>Haryana</i>						
7. Yamunanagar	85	15	58	18	30	47
<i>Jammu Kashmir</i>						
8. Srinagar	36	63	93	1	54	23
<i>Kerala</i>						
9. Alwaye	32	68	95	..	75	17
9A. Alleppey	22	78	100	..	7	9
<i>Madhya Pradesh</i>						
10. Bhopal	53	45	80	5	15	48
11. Indore	64	36	64	11	17	66
<i>Tamil Nadu</i>						
12. Coimbatore	85	14	74	16	71	25
13. Madras	90	9	45	38	29	60
14. Madurai	95	5	81	10	38	55
<i>Maharashtra</i>						
15. Bombay	96	4	91	7	12	82
16. Nagpur	65	34	70	8	37	53
17. Sholapur	65	34	97	1	23	77
<i>Mysore</i>						
18. Bangalore	77	23	27	35	9	77
<i>Orissa</i>						
19. Sambalpur	70	30	90	..	92	5
<i>Punjab</i>						
20. Amritsar	87	13	79	15	58	36
<i>Rajasthan</i>						
21. Ajmer	42	58	82	5	20	67
22. Jaipur	42	58	87	7	45	42
<i>Uttar Pradesh</i>						
23. Kanpur	78	21	89	5	27	56
24. Saharanpur	78	22	70	18	58	22
<i>West Bengal</i>						
25. Calcutta	89	11	67	32	2	95
26. Howrah	73	27	88	9	17	71

NOTE : Percentages may not add up to 100 on account of exclusion of the figures of 'non-reporting' units and in the case of columns pertaining to 'Bathroom' and 'Latrine' because of the exclusion of figures of the dwellings where these facilities were in individual use.

Source : Reports of the Family Living Surveys among industrial workers (Factory Centres) 1958-59.

CHAPTER IX

RECREATIONAL FACILITIES

9.1. No social institution devised by human ingenuity for satisfaction of man's fundamental urges of self-expression, recognition and new experience has served its originator so truly and so well as recreation. The lone, loyal unflinching companion of man in his labours and fortunes and in his unending journey through the dim labyrinthine corridor of time from the Stone Age to the age of Reason and Science—that is how recreation can be best described.

9.2. Recreation is commonly taken to be the opposite of work. There are some who find their work so absorbing and satisfying that to them work is recreation. But to millions who perform repetitive mechanical jobs in factories and workshops, recreation is a leisure time activity by which monotony and drudgery of work is lessened. To them, recreation is an opportunity for mental refreshment, a diversion to creative invigorating activity. In that sense, recreation assumes varied hues and forms, its appeals varying according to the individual's age, interests, tastes and attitudes and to the kind of participation the individual may desire to lend to it.

9.3. Recreation has an important bearing on the development of the individual's personality as well as on his capacity to contribute to social development. All recreational activities have certain basic characteristics. A person engaging himself in recreation chooses to do so without any compulsion, but with an urge from within. More often than not, participation in recreation brings him mental and psychological satisfaction in terms of self-expression, fun and frolic, relaxation and refreshment, joy and laughter.

9.4. Recreation is the highest form of culture. Culture is measured in terms of what the individual is, and not of what he has. The lineaments of his character and configuration of personal and social behaviour are clearly discernible in his conscious cultivation of his intelligence and talents to produce things of joy and beauty, and in his enlargement of happiness of his fellow-workers. Music, dance and drama, games and sports, athletics and callisthenics, painting and carving are the forms of recreation which a worker can use to boost his morale to invigorate his mind and refresh his fatigued body. What is even more important, recreation affords him an opportunity to develop a sense of physical and mental discipline so essential an ingredient of human relations, and a team spirit which enables him to take the problems of life in their proper stride.

9.5. The importance of recreation in creating a healthy climate for industrial peace and progress has been emphasized by several study teams, committees and commissions, which have studied the working and living conditions of labour in India during the last four decades. The Labour Investigation Committee (The Rege Committee) had, a quarter of century ago, this to say on the subject of industrial recreation:

"The average industrial worker works in an atmosphere of dust, noise and heat, and lives in terrible, overcrowded and insanitary dwellings which are generally no better than dark dungeons

with the consequence that many workers fall prey to vice."

9.6. The year 1969 is a far cry from the year 1944. The lead given by some of the progressive employers like the house of Tatas, Hindustan Leaver Limited (Bombay), The Aluminium Manufacturing Company (Calcutta), The TELCO (Jamshedpur), The Mill Owners' Association (Bombay), and most of the public sector undertakings such as the Hindustan Steel Ltd., the Air India, the Bharat Heavy Electricals, the Heavy Engineering Corporation, the Bharat Electronics, the Indian Telephone Industry, the Bokaro Steel Limited, the Life Insurance Corporation of India and the Indian Railways in providing facilities and encouragement to the workers in games and sports and cultural activities has long out-distanced the limping, halting acceptance of recreation by the average employer twenty-five years ago. No more is the employer, whether in the private sector or in the public sector, in need of being reminded of the place of recreation in the strengthening of morale of workers or in the building up of sound employer-employee relationship. Even a cursory examination of the voluminous material submitted by the private sector establishments and the public sector undertakings has convinced this Committee that in every establishment there exists a base for recreation for its workers. The area of the base dimensions of facilities provided by each establishment have, however, of necessity been determined by the overall financial and physical resources available with it.

9.7. An objective assessment of the recreational facilities available to workers in most of the large scale private sector establishments and almost all of the public undertakings shows that these facilities are way ahead of, and are much better organised than, the recreational facilities available to the average citizen through the State resources. Even municipalities (barring Municipal Corporations of Bombay and Madras) and local authorities, which should have done much better as a part of their civic responsibility, are seen lagging behind where facilities for recreation and culture and play-grounds for the benefit of the average citizen are concerned.

9.8. The Committee is conscious of the fact that the facilities for recreation available are, in comparison with facilities available to workers in developed countries, fewer and less extensive, and would, therefore, deem it appropriate to refer recreational facilities and amenities in other countries as desirable ones towards which the State and society must assiduously work for providing the wherewithal and the desired resources.

9.9. In East European countries, the problem of leisure activities for the working population as a whole is the concern of the trade unions, which not only use their own funds for the purpose but also allot a proportion of the workers' funds set up in each undertaking and administered by the unions, which has made it possible for them to provide a wide variety of cultural and recreational facilities to workers. In many of the developed countries, community recreation facilities are, more or less, adequate at present. This stage has only been

reached gradually over a period of time with the increase in the industrial production and with the raising of incomes and extension of leisure time with the almost universal application of a maximum eight-hour work.

9.10. In many of the developing countries the need to provide adequate recreation facilities for workers in the medium-sized and smaller undertakings for whom no such facilities are normally provided has been widely felt. The compelling reason for this need is industrialisation itself. Most of the workers employed in factories come from villages, and have their roots embedded in the rural soil. The new-comers to the urban factory life, therefore, sometimes find it difficult to adjust them to the fast moving rhythm of industrial life, to fixed hours of work and definite hours of leisure, as to how to utilise their leisure time. The community recreation facilities like sports clubs, cultural and recreational shows, etc. organised by private interests generally cater to middle class and upper middle class people. Except cinema, none of the recreation facilities existing in the community is within financial reach of the average industrial worker. In some of the developing countries one of the most important means of ensuring welfare and recreation facilities to workers employed in medium-sized and small undertakings is that their Governments themselves have stepped in to fill the gap by setting up welfare and recreation centres in industrial areas and housing colonies.

9.11. In *Israel*, workers' organisations such as 'Histadrut' (the national federation of trade unions), provide recreational, cultural and other welfare facilities to workers as a community. In the *United Arab Republic*, a start has been made by organising social centres in industrial areas by the National Federation of Trade Unions, through the Workers' Social Organisation.

9.12. The ILO Recommendation on Welfare Facilities adopted in 1956 urged upon the member countries to take appropriate measures "to encourage the provision of recreational facilities for the workers in or near the undertaking in which they are employed, where suitable facilities organised by special bodies or by community action are not already available, and where there is a real need for such facilities as indicated by the representatives of the workers concerned." The I.L.O. further recommended that "such measures, where necessary, should be taken by works committees or other bodies established by national laws or regulations if these have a responsibility in this field, or by voluntary action of the employers or workers concerned after consultation with each other. These measures, should, preferably, be taken in such a way as to stimulate and support action by the public authorities so that the community is able to meet the demand for recreation facilities."

9.13. In *India*, a number of recreational facilities have been provided in more than one ways, statutorily, voluntarily and also by social welfare agencies, and to some extent by trade unions as well. Broadly speaking, these can be divided into two parts namely (i) recreational amenities provided by the industrial units inside or near the workplace, and (ii) amenities provided on community basis.

9.14. Provision of recreational amenities has been made obligatory on employers in Plantations. In major minerals like Coal, Mica and Iron Ore, efforts of the employers are supplemented by Welfare Funds. In some of the Gold, Copper, Manganese, Limestone, etc. mines/quarries also, the employers including managements of the public sector undertakings have voluntarily provided entertainment facilities. In factory establishments, the employers made a considerable improvement by providing avenues for recreational facilities on their own. Their efforts have, in some places, been supplemented by labour welfare centres run either by State Governments or by the Statutory Labour Welfare Board as in Maharashtra and Gujarat.

9.15. The need for providing these activities on an extensive scale has been accepted without reservation by the public sector and departmentally run undertakings. Undertakings under the administrative control of the Ministry of Defence had initiated a Scheme, way back in 1946. For the purpose, a Fund was instituted at the unit level, to which the Government contributed at the rate of Re. 1 per worker per year. Workers were also required to contribute to this Fund. The Fund was utilised for initiating and promoting welfare activities such as indoor games, outdoor sports, reading rooms and libraries, etc. A similar scheme is being implemented in Railways, Posts & Telegraphs and other Central Government Undertakings, though the method of financing these activities differs.

9.16. In almost all the public sector undertakings, provision of indoor and outdoor games has been made a part and parcel of the project plan itself. Right from the initial construction stage of the plant, budget provisions for amenities like sports clubs, reading rooms, games and athletics, cultural activities etc. are made. Some of the large scale establishments in the private sector, to which a reference has been made earlier, have also been making definite provisions in their budgets for recreational and welfare activities for their workers.

9.17. There can be no two opinions as regards the need for, and usefulness of recreational facilities to workers. These amenities assuredly fill the gap in social and cultural needs of workers and help them to enlarge their capacity for physical and mental self-development. The Committee, therefore, recommends that the need for providing recreational facilities on a regular and sustained basis to industrial workers including workers in plantations and mines as also to their families, cannot be denied. Some of the large scale establishments, both in private and public sectors, are already spending considerable amount on providing recreational facilities to workers and their families. There is a need for every employer, including medium and small, to pay adequate attention towards provision of some basic minimum recreational facilities for their workers.

9.18. The Committee has observed that a sharp divergence of opinion exists on the subject of introduction of legislation for provision of recreational amenities to factory workers. A good majority of public sector undertakings do not favour legislation for recreational amenities to factory workers. However, some have put forward the view that legislation may be undertaken to ensure

minimum standards in recreation. The private sector employers feel that the existing arrangements for industrial workers especially in the case of ministration is quite adequate and satisfactory.

9.19. Workers' organisations in their earnestness to ensure that recreational amenities are provided by employers to all workers, have either insisted upon a specified percentage of wage bill being set aside and spent on welfare amenities or have suggested that a legislation on the lines of the Bombay Labour Welfare Fund Act, 1953 may be enacted in all States.

9.20. The need for the benevolent intervention of the State into the area of recreation not only for industrial workers especially in the case of small scale and medium sized industries but also for the average citizen cannot be too strongly emphasised. The Committee feels that so far as provision of facilities to workers in medium-sized and small-sized establishments are concerned, their main pre-occupation is the fulfilment of the statutory obligations which are already cast upon them under different statutes. The Committee, therefore, feels that the capacity of the industry to pay for these recreational amenities, especially in the case of small scale industries, has got to be taken into consideration. It is possible that even though the will to provide these amenities may be there, lack of capacity to pay may stand in the way. In such a situation, it is necessary for the State to intervene and lend a helping hand. This can either be done by suitable direct grants to the employers or by arranging recreational facilities for a group of small scale units. The cost of these amenities can be shared by the State and by the employers.

9.21. Most of the State Governments and Union Territories have set up Labour Welfare Centres which are run departmentally. These centres *inter alia* provide limited recreational facilities, both indoor and outdoor. These amenities are generally financed through regular budgets of the respective State Governments/Union Territories. In Maharashtra and Gujarat, the responsibility for running such centres has been taken over by the Statutory Labour Welfare Boards. The activities of these Boards include, besides provision of recreational amenities, vocational training and social education, pre-primary education for workers children and visual education.

9.22. The welfare centres, whether run by the State Governments or State Welfare Boards go a long way in supplementing the efforts of such factory establishments as are located within the geographical limits of the main urban settings.

9.23. It is neither feasible nor practicable for small factory establishments to provide centres for recreational activities within work premises on any extensive scales except where establishments are clustered and spread over a sizeable area and they have already provided recreational centres in their project plans. We, therefore, feel that it is necessary that the recreational centres are set up outside the place of work in working class localities and/or in industrial housing colonies. They should be well-equipped to attract sufficient number of workers.

9.24. It is claimed that in those States where welfare and recreation centres are run by Statutory Labour Welfare Boards, they are more popular with

the workers and their utilisation rate is high. This is perhaps due to the fact that the Welfare Boards are autonomous in character and tripartite in composition. This has resulted in workers taking not only greater interest in the utilisation of the recreational amenities but even these facilities are better administered and effectively provided. The Committee feels that instead of the recreational activities being undertaken by the Government departmentally, statutory bodies may be brought into being in all the States, which, besides non-statutory welfare amenities, should provide recreational amenities outside the factory premises through labour welfare centres. The Board should be assured of adequate funds to discharge their duties effectively, as otherwise the very purpose of expecting better results from the welfare centres run by these Board would be defeated.

9.25. In the preceding paragraphs of this chapter a mention has been made of the fact that in some quarters enactments of legislation for laying down minimum norms for the provision of recreational amenities, has been suggested. The Committee has examined this matter in great detail. We feel that by and large, there is no need for introducing any legislation for the provision of recreational facilities by employers in the case of factories. If the recommendations given by us in the preceding paragraphs are implemented, the need for having even an enabling legislation becomes superfluous. We, however, strongly feel that this is a field where active initiative should also come from the Trade Unions to provide necessary healthy diversion and also to re-orientate the working of the trade unions. Considerable success can be achieved in popularising social and cultural activities amongst the workers if trade unions actively associate themselves with the managements in this.

9.26. It has been generally maintained by employers that legislation in any field mars their initiative. Their approach and thinking gets conditioned by the limits laid down by compulsion. But, the need for laying down a blueprint for recreation, which can provide healthy diversion to people engaged in different industrial vocations on a national basis, cannot be over-emphasised. The Committee, therefore, recommends that the Central Board of Workers' Education, the All India Council of Sports, Statutory Labour Welfare Board and Allied Institutions should jointly form a Council under the aegis of the Ministries of Labour, Health and Family Planning at the Centre to lay down a minimum standard of recreational/sports activities which could faithfully provide base for keeping the workers fit, active and healthy.

9.27. With a view to promoting a balanced recreation, physical fitness and welfare programme for industrial workers, the Committee would like to propose a few concrete schemes on the lines of the schemes being implemented or proposed to be implemented by some of the States.

Educational excursions

9.28. Industrial workers should know about the various development schemes implemented in the country and how industrial development is taking shape. Workers should be made conscious of national planning and achievements. For this purpose organising excursions of groups of industrial workers to various parts of the country should prove useful. These excursions will bring workers of different places and different units

together for exchange of ideas and discussion of their common problems to their mutual benefit. This will also help in increasing the feeling of integration and oneness.

9.29. Visits to the national projects will help them acquire a broad outlook and strengthen their sense of national solidarity. For organising these excursions, finances should be found on the following basis :

- (i) One-third of the expenses should come through the contribution of the State Governments and Central Government;
- (ii) One-third should be contributed by the employer of the factory or establishment; and
- (iii) One-third should be contributed by workers themselves.

9.30. The Committee's view has been fully supported by Workers Organisations, who have stated in their replies to the Committee's questionnaire that programme for sight-seeing visits and conducted tours are very helpful in enlarging outlook and mental horizon of the workers. The employers too have supported the idea in principle although some of them feel that such a venture is not possible in the context of the present economic position of the country. It is also not likely to yield corresponding benefit. The Governments of Maharashtra, Gujarat, Uttar Pradesh, Bihar and Haryana, who sent comments on this matter, have also generally supported the idea of educational tours and excursions.

The Committee feels that such tours should be properly organised on regular basis for workers of all industries. We further reiterate that the Central and State Governments, employers' and workers' organisations should all cooperate in promoting and organising these tours. The funds for these tours should be shared by the State, the employers and workers as well. Employers have been coming forward in the past and it is hoped that they will continue to do so more actively in future in promoting this idea and keeping the workers' share in this venture to the barest minimum possible.

Boy's clubs and youth clubs in working class area.

9.31. Concentration of wealth and opportunities in industrial towns has been attracting thousands of people from rural areas in quest of economic security. This immigration trends are likely to continue for some time to come. This has caused serious dislocation to lives of working class and low income group families. Incapacity to make a reasonable adjustment to the demands and strains of the city life in which the migrated families have found themselves, has driven a section of the population to go out of gear with society. The group most seriously affected are the younger groups—youth and children. It is an important job of a welfare organisation to keep its young members away from mischief and save their parents from anxieties over their behaviour. Youth clubs and Boys' Clubs are, therefore, considered as a must both as a community service and a preventive programme.

Several groups are always seen vaguely functioning in chawls and mohallas. These are indeterminate groups with no moorings and little

purposeful, programme, and yet they are highly cohesive groups. If a central agency like the State Welfare Board could reach out to them and supplied them some play material and provided leadership they would probably organise themselves in clubs with a definitive purpose. The clubs will open up new vistas of social living for the young members who may then carry out into the community their newly acquired patterns of adjustment and relate themselves in a new way to their friends, parents, teachers and employers. The change will come over the young members gradually, like the growth of a plant which is never perceived by the naked eye, but is still a fact. To facilitate conversion of these amorphous groups into Boys' Clubs and youth clubs, the initiative must come from the Statutory Board and organisations like the Municipal Corporation, Port Trust, etc., in the form of supply of play materials and occasional guidance and directive from its field staff.

Each club should consist of 30 children or 25 youths. Separate clubs may, if necessary, be formed for boys and girls.

Holiday homes for industrial workers and their dependents.

9.32. Holiday Home facilities at reasonable costs, if made available to industrial workers, will go a long way in helping them get over the drudgery of hard and strenuous work and would, therefore, be most welcome to the workers and their families. Vacation at holiday homes will provide the needed rest to them and reinvigorate the workers for greater efficiency and productivity.

Not many workers can afford to avail themselves of the facilities available at Government Holiday Homes in view of heavy cost on transport and lodging and boarding charges at holiday resorts.

This scheme envisages hiring of suitable accommodation at holiday resorts and providing facilities such as utensils, furniture and other equipment. The industrial workers should be allowed to take their dependents to the holiday resorts nearest to their town for which 50 per cent of the travel cost (only the nearest or cheapest route by a rail, sea or road may be allowed). Incidental charges and messing charges at the holiday camp will have to be borne by the campers. The family may be allowed to stay for a period not exceeding one week. A nominal rent for accommodation and hire of utensils, furniture, etc. may be charged to each family member for the entire holiday.

Education through recreation.

9.33. The State Welfare Board or the State Government (where no State Board is in existence) may take initiative in developing programmes which will chiefly address themselves to themes of intimate interest and of consequence to industrial workers.

Encouragement and/or maintenance grants to sportsmen, artists and writers amongst industrial workers.

9.34. Sports and recreation constitute a very significant and important part of Labour Welfare Programme. Various facilities provided at welfare centres in sports, fine arts and literary pursuits have proved a great source of encouragement to

sportsmen, artistes, and writers among industrial workers. Large number of young people are increasingly taking part in these activities. Time has now come when the talented among the worker-sportsmen, worker-artist and worker-writers be given some recognition for their devotion to these pursuits, which initially they took up as hobbies of leisure-time activities and later developed as skills.

9.35. There are quite a few sportsmen and artists who have made a name for themselves in State competitions, competitions by employers in private and public sector undertakings and whose performance has received recognition from their employers in the form of accelerated promotion in the establishments employing them. Their interest in sports and the cultivation of fine arts could be further promoted and their literary effort further encouraged if the more meritorious and talented among them are given some recognition in the form of grants.

Youth service camps for social services in rural areas.

9.36. Urban industrial labour is mostly drawn from the people from rural areas, who migrate to industrial cities like Delhi, Ahmedabad, Madras, Calcutta, Bangalore, Hyderabad and Bombay from adjoining rural areas in search of employment or occupation. What is generally known as urban industrial labour is basically agricultural labour 'pushed' into an urbanised and industrialised setting through force of economic compulsions. Even after migration they continue to have their emotional and family roots embedded in the rural soil. What is true of the urban adult industrial worker is also true of the young members of working class families.

9.37. The requirements of our economy demands that this emotional nexus between the urban employment and the ancestral rural home and farm should be sustained by involving the labour youth in some kind of social reconstruction project designed to meet the felt needs of the rural community. This involvement can take the form of rural social service camps to be organised a few weeks before the onset of the monsoon and again at the harvesting time. These periods of the year happily coincide with the educational vacations for students. These are also the occasions when quite a few industrial workers take holiday to go to their native places for change

and for looking after the pre-monsoon agricultural operations and post-monsoon harvesting operations. The months of May and October-November will, therefore, be the ideal time for organising guided camps of young students from working class families and other youth who might be keen on engaging themselves in some constructive rural service.

Rural labour welfare centres.

9.38. It is now being increasingly recognised that welfare needs of rural labour must receive some attention. In the event of welfare services for rural labour being introduced in the next few years we may initially set up rural welfare centres in selected rural areas, which are the centres of weekly bazars or are business centres and which are on the threshold of having agro-based industries. The pattern of rural welfare centre will have necessarily to be modified to meet rural needs. In the beginning the emphasis on the programme at the centres could be on the following items:—

1. Adult education classes;
2. Education regarding health immunisation programme;
3. Education for family planning;
4. Reading rooms and libraries;
5. Installation of radio sets for rural broadcasting programmes;
6. **Shishu Vihars;**
7. Encouragement to rural games and sports; and
8. Remunerative employment schemes, especially for women during agricultural off-season relating to some local traditional skill and to material locally available.

9.39. It would be fruitful to conduct, at some future date, some sample studies to find out the impact of recreation on the mental attitudes, physical health and productivity of industrial worker. It is a field in which industrial psychologists may perhaps like to test the validity of certain assumptions made not only in the area of industrial recreation but also in the entire area of Labour Welfare.

CHAPTER—X

TRANSPORT FACILITIES

Transport Facilities.

10.1. In all countries of the world mobility and accessibility made possible by modern transportation are amongst the key factors for attainment of economic and social progress. In recent years transport facilities by rail and road have acquired significance in view of industrial development as well as changes in the locational pattern of industries. Small scale industries, industrial estates, and industrial cooperatives are being planned and set up by State Governments and have received recognition as an integral part of future policy of industrial development in this country. These industries are either being planned and located in virgin areas or are now being dispersed away from the main urban settings. These factors focus the consideration of transport facilities for industrial workers.

10.2. The provision of transport facilities to industrial workers forms an integral part of the general transport facilities and are by and large, the responsibility of the public authorities like the local bodies, transport corporations, or the State Governments etc. The railways in many cases run the local trains for the use of workers particularly connecting the suburbs with the metropolitan cities and big industrial areas.

10.3. The provision of adequate and cheap transport facilities to workers residing at a long distance is essential as such facilities not only relieve the workers from strain and anxiety but also provide opportunity for greater relaxation and recreation. Provision of transport facilities also helps in reducing the rate of absenteeism particularly when it is on account of late arrival. Reduction of absenteeism on account of late arrival of workers not only helps industry but also reduces the tension and strain amongst workers.

10.4. In this context it would be appropriate to review briefly the transport arrangements for industrial workers in some of the developed and developing countries before such facilities available to workers in India are discussed.

Transport facilities in foreign countries.

10.5. Practices followed in different countries are, indeed, varied. In the developed countries of both Western and Eastern Europe, provision of transport services for the use of workers, along with other members of the community, generally forms a part of the civic and community amenities and are mainly the concern of local authorities. The imposition of legal obligations on the employers to provide such facilities to their workers has been rare and limited to certain special circumstances. Apart from such legal requirements, in most of the countries, the industrial undertakings have taken measures to alleviate the transport difficulties of their workers. This is done by entering into agreement with the local transport authorities to set up new services or to improve or adapt their existing services, and by staggering of hours of work of the industrial undertakings in

the congested localities. In certain cases when the new industries are established in isolated or rural areas or where the journey is long and awkward, the undertakings either provide their own transport services or make payment of transport allowance to workers in lieu thereof. The undertakings in special circumstances, such as in the case of shift workers, either subsidise the transport companies which agree to run services for their workers, or provide their own transport services.

10.6. Similarly, in some of the developing countries there are a few examples of legislation requiring employers to provide transport facilities and wherever such statutory obligations exist, they are only for places in isolated work-sites. In certain developing countries transport facilities are also provided through collective agreements. In certain parts of Mexico, where public transport facilities are inadequate, the workers have themselves formed transport cooperatives for this purpose. In Japan, many undertakings provide transport facilities for their workers including 'commutation tickets'. The management of the Chauk Oil-field in Upper Burma provides transport facilities to and from work place for employees who live outside a radius of one mile from their work station; shift workers are given transport in all circumstances.

10.7. Thus the problem of ensuring adequate transport facilities to enable workers to attend to their work without undue delay has been recognised in majority of countries. The International Labour Organisation has also stressed the importance of providing this important welfare amenity to workers.

I.L.O. and transport facilities.

10.8. The International Labour Conference while adopting "Utilisation of Spare Time Recommendation" urged its member countries that "by means of a well-conceived transport system and by affording special facilities in regard to fares and timetables, workers should be enabled to reduce to the minimum the time spent in travelling between their homes and their work", and that "employers' and workers' organisations should be extensively consulted by public transport authorities or private transport undertakings as to the best means of securing such a system".¹

10.9 This Recommendation urged upon the public transport authorities to consult workers and employers organisations in matters of planning for transport facilities. Specific principles in regard to transport for industrial workers were, however, laid down in 1956 by adopting Welfare Facilities Recommendation (No. 102) which, *inter alia*, lays down that :—

"Where in accordance with national or local custom, workers provide their own means of transport to and from work, suitable parking or storage facilities should be provided where necessary and practicable.

(1) I.L.O. Recommendation No. (21) concerning 'Utilisation of Spare Time—1924'.

Where a substantial proportion of the workers experience special difficulties in travelling to and from work owing to the inadequacy of public transport services or unsuitability of transport timetables, the undertakings in which they are employed should endeavour to secure from the organisations providing public transport in the locality concerned the necessary adjustments or improvements in their services.

Where the workers' transport difficulties are primarily due to peak transport loads and traffic congestion at certain hours and where such difficulties cannot otherwise be overcome, the undertaking in which they are employed should, in consultation with the workers concerned and with the public transport and traffic authorities, and where appropriate with other undertakings in the same locality, endeavour to adjust or stagger times of starting and finishing work in the undertaking as a whole or in some of its departments.

Where adequate and practicable transport facilities for the workers are necessary and cannot be provided in any other way, the undertakings in which they are employed should themselves provide the transport.

In particular countries, areas or industries, where public transport facilities are inadequate or impracticable, and as an alternative to the provision of transport by the undertaking, transport allowances should, by agreement between the employer and the workers concerned, be paid to the workers by the undertaking.

Whenever necessary, undertakings should arrange for adequate transport facilities to be available, either through the services of public transport or otherwise, to meet the needs of shift workers at times of the day and night when ordinary public transport facilities are inadequate, impracticable or non-existent".⁹

Transport facilities in India.

10.10. Unlike industrially advanced countries, in India the public transport systems have not yet been fully developed. The remoteness of industrial areas from the main centres of working population, growing urbanisation and increased tempo of industrialisation coupled with dispersal of industries have further accentuated the transport problems in India. Keeping in view the existing situation, improvements needed therein and planning for future, adequate and cheap transport facilities seem essential not only for workers' welfare but also for smooth and unhampered industrial growth.

10.11. Being largely a function of the State or local bodies, this problem can be tackled either by local bodies/public transport authorities through the provision of adequate and proper arrangements for better transport services or by the employers in collaboration with public transport authorities by providing some facilities of transport for their workers on their own when facilities do not exist or are found to be inadequate. The other alternative could be that workers are provided with houses near the place of work. The need for providing transport facilities has been accepted by all the

parties viz., State Governments, employers and workers' organisations and public sector undertakings, though the suggestions as to how this should be done differ. The Committee, after taking cognizance of all these views, feels that the need for provision of adequate transport facilities to workers to enable them to reach their work place without loss of much time and without fatigue has been accepted. It is essential that whatever be the agency for provision of this facility the workers should not be unduly put to avoidable strains on account of inadequate provision of transport facilities.

10.12. Although it is not possible to visualise the magnitude of the problem as sufficient information is not available regarding the percentage of workers residing at long distances say 5 miles and beyond and the extent to which workers have been provided transport facilities through voluntary efforts of their employers, but the importance of these facilities in a developing country like India is obvious and hardly needs any emphasis.

10.13. In big cities local transport authorities have arranged special trains, bus services to meet the needs of the general public along with the industrial workers but the facilities provided have not kept pace with the rapidly growing needs. All the State Governments, employers' and workers' organisations have admitted that the existing public transport facilities are inadequate and cannot cater to the demands of the industrial workers employed in big industrial cities. This is evident from the views received by the Committee from various parties.

10.14. The Government of Bihar have stated that public transport are very few in number and that too are on a limited number of routes which generally do not fully cover the factory areas and the workers are unable to derive benefit out of it. Similarly, the Government of Kerala are also of the view that in spite of development in public transport services the present transport facilities are not adequate to meet the growing requirements of the workers and the general public. The consensus is that public transport services are inadequate in relation to the demands. The various measures suggested to meet the situation, *inter-alia*, include facilities like increase in the number of buses and their frequency; setting up of special transport services; adjustment or staggering in hours of work in industrial establishments; adaptability of timings and routes of the public transport services etc.

10.15. After careful deliberation, the Committee feels that transport facilities on a large scale could best be provided by the State. Besides helping the working class, development of transport facilities could also open new channels for over-all economic development and social progress. We are of the view that provision of transport facility is normally a function of the State Government or of the local authorities. These are tertiary services, the development of which must normally keep pace with the development of industrialisation of different areas. Development of industry in a place invariably adds to the resources of the State as well as that of the local bodies. It is, therefore, essential that in all places of industrial concentration the State Governments and local

authorities should streamline, increase and improve the functioning of the local transport services so as to give maximum possible assistance to industrial workers to reach their places of work in time.

10.16. The Committee also feels that it would be all the more essential that the State Governments/local transport authorities should take suitable measures to run special buses connecting isolated and distant industrial areas with the residential areas of workers particularly labour housing colonies. We, therefore, recommend that **the State Governments should provide special transport services to workers living in labour colonies built under the industrial housing schemes.** We also feel that apart from running special buses the State Governments/local authorities should also supplement these efforts by **increasing the frequency of buses as well as more buses should be pressed into service to meet the needs of the workers at the opening and closing times of the factories.**

Provision of conveyance allowance in lieu of transport facilities to industrial workers.

10.17. The problem of inadequacy of transport facilities has been fully discussed in the earlier pages. There is an allied problem of providing transport facilities to workers who have to travel long distances say over five miles to reach the place of work. In such cases workers have not only to undergo physical strains but have also to spend a good amount of money in meeting the cost of transport. With a view to finding out the extent and the number of workers who travel long distances and to find out solution to meet the genuine requirements in regard to transport facilities for such workers, the Committee invited the views of State Governments and individual units as well as the workers' and employers' organisations on the subject. The views and suggestions received from the concerned parties on the subject are briefly as follows :—

The Government of Bihar have stated that about 15% of the workers come from a distance of over 5 miles and a very few from over 10 miles. It has, therefore, suggested that in view of the inadequacy or non-availability of public transport services the managements should make arrangements for the transport of those workers who reside at a distance of 3 miles and beyond from their place of work at nominal charges.

The Government of Rajasthan have suggested that where the housing accommodation made available to the workmen is far away from the worksite, it should be the primary duty of the management to provide transport facilities free of charge.

The Government of Punjab have also stated that about 40 to 50 per cent of the workers come from neighbouring villages located at a distance ranging from 3 to 7 miles and have suggested the payment of transport allowance to cover charges of public transport paid by workers or for the maintenance of cycles used by them.

The Government of Haryana have reported that in Faridabad, about 25 per cent of the workers come from Delhi which is at a distance of about 20 miles.

The Government of Jammu & Kashmir have stated that there are four factories where workers come from a distance of five miles or above. Some

managements are giving some cash allowance in lieu of non-provision of transport facilities. This is in the form of cash payment, actual travelling allowance or some fixed amount.

10.18. Although adequate data regarding the number of workers travelling long distances (5 miles or above) are not available yet from the replies received from individual industrial units as well as State Governments it can be safely inferred that a sizeable number of workers, particularly in metropolitan cities like Bombay, Calcutta and Madras, generally stay at long distances from their work-places and have to spend a good amount by way of conveyance from their place of residence to work-places and back.

10.19. The replies received from the State Governments and individual industrial units also show that larger industrial establishments in public and private sector are either operating their own buses for the transport of workers to and from work-place or providing transport facilities on subsidised rates or on nominal charges. Some units are also providing some cash allowance in lieu of non-provision of transport facilities to subsidise a part of their transport expenditure who are residing far off from work-places. But the number of such units is very small and only a limited number of workers have been benefited. In the case of workers who reside within a reasonable distance say less than five miles from their work sites, the problem is not serious, but the workers who reside at a considerable distance and where public transport service is not available are put to great hardship, both monetary as well as physical.

10.20. In some of the foreign countries too it is a common practice to make payment of transport or travelling allowance in such cases where the public transport facilities are inadequate or impracticable or where workers live at places more than a specified distance from their place of work.

We are also of the opinion that in such industrial undertakings where transport services are not provided and these industrial undertakings are located at more than 5 miles away from the place of residence of workers, some transport facilities be provided by the employers in cooperation with the existing public transport services. Where no such transport services exist some conveyance allowance, as may be mutually agreed to between the employers and employees, be paid by the employers.

Various modes of transport available to industrial workers.

10.21. Another closely connected problem with long distances is the mode of transport which the workers utilise. The Committee also elicited the views of the State Governments and individual industrial units on this subject. The replies received from the concerned parties by the Committee reveal that the usual modes of transport are local trains, buses run by local transport authorities and State Governments and bicycles etc.

10.22. Among the various modes of transport bicycles are the most common means of conveyance for the workers coming from long as well as short distances. This has been corroborated by Government of Punjab in its reply to the Committee's

questionnaire. The fact is that for years to come development of adequate transport facilities so as to serve the public effectively may not be possible due to economic reasons. In the circumstances, workers may be encouraged to own their own conveyance. For this, it will be necessary that suitable financial assistance in the form of advance on reasonable terms may be granted to such workers as may like to purchase bicycles. The Committee has supported this view and recommends that in order to encourage workers to have their own conveyance, it is desirable that the employers should advance loans liberally to the workers for the purchase of bicycles etc.

10.23. Closely linked with the problem of transport facilities is the provision for safe and proper parking sites within or near the factories for the bicycles of the workers. The Committee has been informed that although in the case of bigger units such facilities have been provided but in case of smaller units either these facilities are non-existent or covered cycle stands with proper arrangement for security have not been made. It would go a long way to remove the anxiety of the workers for keeping their cycles in a secured place if such facilities are provided by the employers.

Transport facility to workers by smaller units on a joint basis.

10.24. The Committee has also examined the question of providing transport facilities to such workers who are employed in small establishments clustered at one place. It has generally been found that transport facilities at such places are often inadequate. The problem is likely to be further complicated in view of the dispersal of industries or shifting of existing industries out of residential areas to the outskirts of the cities. The development of small scale industries through the agency of industrial estates which are generally situated away from the cities is an accepted policy in the field of industrialisation.

10.25. The information received by the Committee in this connection reveals that the majority of the State Governments and other concerned parties are of the opinion that despite financial, administrative and locational difficulties the provision of transport facilities by smaller units located in a contiguous compact area may be feasible and therefore possibilities may be explored by the managements to provide such facilities. It has been further suggested that the expenditure incurred on such facilities should be shared proportionately by the participating units on the basis of number of workers employed by each unit and these facilities should be administered by a tripartite body comprising employers', workers' representatives and State officials.

10.26. According to the statistics available about 80 per cent of the industrial units employ less than 50 workers and, therefore, they fall in the category of smaller units. It is also felt that joint/cooperative efforts on the part of smaller units on *no-profit no-loss basis* will be useful as this would enable the smaller employers to provide the facilities more easily and workers also will not go without these facilities.

10.27. In view of the above the Committee feels that the smaller industrial establishments located in contiguous areas should undertake to provide

transport services on joint basis. The cost of providing these services can be shared by the participating establishments on the basis of number of workers employed. The administration of such facilities can be entrusted either to an autonomous body or a tripartite committee representing workers, employers and State officials. We further feel that such services can be started from some common points where the workers can assemble from different directions. This arrangement will specially suit the industrial estates which are set up at far away places from the urban settings.

10.28. The Committee also feels that the State Government should advance suitable loans with a view to encourage small establishments to purchase their own buses for this purpose. The rate of interest charged should be nominal and the amount should be repayable in easy instalments over long periods. This will facilitate the smaller establishments to purchase their own buses for the transport of workers from work-place to residence and back.

Transport facilities to shift workers.

10.29. In the industries where work is organised in shifts the problem generally arises as to how to meet the transport needs of shift workers as the shifts often begin and end at times when ordinarily public transport is not available. Some of the factories being public utility services have to operate round the clock and workers employed in such factories have to work by rotation in different shifts either in day time or in night time. In some of the countries the undertakings sometimes enter into agreement with the transport organisations to arrange special transport services at the hours when shifts change or in the absence of such arrangements undertakings themselves provide transport facilities to the workers who work in shifts. For example, in Japan some industrial undertakings provide their own vehicles for the transportation of shift workers. In Philippines, under a collective agreement covering workers employed in the wood-preserving division of a company, the company has undertaken to furnish free transportation to those workers who leave work between 10 P.M. to 5 A.M. including taxi fares for groups. Similarly, in the Chauk Oilfield in Upper Burma, shift workers are given transport in all circumstances.

10.30. Besides this, the Chemical Industries Committee of the International Labour Organisation suggested at its Third Session (Geneva, 1952) that "wherever necessary, employers should assist in arranging for suitable transport facilities to be available either through public transport or by other means for meeting the needs of the shift worker in travelling at times when normal transport facilities are lacking". This problem is not peculiar only to chemical industry but is common to all industries wherever shift work is organised. In view of the above, the Committee recommends that in industries where work is carried on round the clock or working shifts is a common practice, the transport facilities are not available at odd hours at night. It is, therefore, desirable that either the public transport should be made available to all industries wherever shift work is organised, should make arrangements for the transportation of such workers who work in night shifts in consultation with workers' unions.

Staggering of working hours in industrial establishments.

10.31. The Committee also sought the opinion of the parties concerned on staggering of working hours in its questionnaire. The information received by the Committee reveals that the staggering of hours is not without its limitations as difficulties have been expressed both by the undertakings as well as by the workers employed therein. The undertakings are often not willing in staggering hours in view of the technical difficulties involved. On the part of the workers, there is often hesitation to change customary hours of starting and finishing work.

10.32. Moreover, in some of the countries among the various devices adopted by industrial establishments include staggering as one of the methods to mitigate the transport hardships experienced by their workers. Sometimes when it becomes impossible to secure any adjustment in the rail or road transport schedules, the industrial undertakings generally resort to adjustment of hours of work in the factory as a whole or in some of its departments. In other cases, the larger undertakings in the area may agree on adjustments of hours of work in order to even out or minimise the pressure on public transport in congested localities.

10.33. In spite of the difficulties involved in the staggering of hours, much useful work has been done in some of the countries with the overall result that workers save such time as is wasted in waiting.

10.34. The replies received by the Committee also reveal that although public transport services

have generally been conscious of providing more buses at frequent intervals during peak hours but staggering of hours may prove further helpful in coping with the requirements of workers in areas where there is concentration of industries. In this connection, Government of Maharashtra have stated that public transport authorities are generally introducing additional transport services to meet the requirements of workers in peak hours.

10.35. In view of the above we feel that in big cities specially the metropolitan cities like Bombay, Calcutta, Delhi and Madras, where industrial establishments have been established in large numbers, it is necessary that working hours in different units are staggered wherever it is feasible. Although the employers have generally stated that staggering is not possible, it may be necessary to stagger starting and closing hours in these cities in order to enable the local and State transport authorities to cope with the transport problem of workers. The staggering of hours may be done in such a manner as to enable the State Governments and local authorities to coincide their transport services with the working hours of the shifts.

10.36. The Committee after having considered the transport arrangements for industrial workers concludes that the remedy lies in the improvement of public transport facilities and feels that allocation of larger outlays and improved administration are essential to achieve this objective. The Committee also feels that along with the improvement in the public transport system the employers should not only provide transport facilities to workers living at long distances but should also assist workers in arrangements which the employers can make with public transport authorities or private transport undertakings with regard to the routes, timings of services, fares etc.



CHAPTER XI

PROBLEMS OF ENFORCEMENT AND FACTORY INSPECTORATE SERVICES

Enforcement machinery—its need and objectives.

11.1. Enforcement machinery for factory establishments is a part of the labour administration of a State Government or a Union Territory Administration. The chief inspector of factories heads this enforcement machinery. The primary function of factory inspection services is to ensure enforcement of statutory provisions in respect of safety, health and welfare of employees. Hence the need to study the adequacy or otherwise of the existing enforcement machinery and steps needed for the streamlining of this machinery.

11.1-A. In the evolution of labour policy during the Plans, labour administration has been accorded due importance in the execution of welfare measures. The first Plan, while laying down the framework of labour policy, referred specifically to the administrative aspects of enforcement and implementation and called for effective implementation of the existing legislation "to improve working conditions and promote the general well-being of the worker". It also made specific recommendations for this purpose. While reviewing the extent of implementation, the second Plan pointed out inadequate implementation of legal provisions and enforcement of awards and agreements and recommended that the penalties should be sufficiently deterrent. Referring to working conditions, safety and welfare, the third Plan also stressed the need for more effective implementation of the statutory provisions. It also stressed upon the strengthening of the inspectorates to the extent necessary.

11.2. Towards the end of 1965 a Panel on Labour Policy constituted by the Planning Commission considered the area of labour administration. It observed that there was a need for a comprehensive examination of the whole question of labour administration in the country because "the problems of labour administration have not been reviewed in a detailed manner in spite of the marked changes which have occurred in the size and the composition of the labour force and legislative measures undertaken to protect the labour interest".¹

On the administrative aspects of enforcement and implementation the draft Fourth Plan observed thus :—

"Improvement in working conditions depends in large part on the effectiveness with which the existing labour legislation is enforced. In this respect, there appears to be considerable room for improvement. In particular, it is felt that existing provisions for penalties in case of default are not adequate and minimum penalties should be laid down at least for the graver offences. At present the labour inspectorates in the States are not adequately staffed and equipped".²

There has thus been an increasing emphasis throughout the Plans on the effective implementa-

tion and enforcement of the labour laws which have already been enacted for the health, welfare and safety of the workers.

Development of factory inspection.

11.3. The legislation relating to factories has been progressively expanded and improved upon over a period of years by drawing upon the increased knowledge on environmental conditions and occupational diseases. The Factories Act 1948 includes the basic minimum requirements for ensuring the safety, health and welfare of workers. Detailed rules have been framed thereunder by State Governments regarding standards and specifications of statutory welfare measures provided in the Act. It would, therefore, be useful to give a brief review of the gradual development of the factory inspection services and the changes that have had to be effected in the organisation to ensure the enforcement of the legal obligations arising from the changes in the statute from time to time.

11.4. The administration of Factories Act was from the beginning entrusted to the then local Governments (now called State Governments) and they were given the option to appoint special factory inspectors or entrust the work of inspection to district magistrates. The first Factories Act enacted in 1881, as also the subsequent Act of 1891, did not provide for any factory inspectors to enforce their provisions. The district magistrates and civil surgeons were *ex-officio* inspectors under those Acts.

11.5. The Factory Labour Commission (1906) severely criticised the system of inspection by district magistrates and civil surgeons and felt that most of the then existing abuses in the implementation of statutes were the result of inadequate and inefficient inspection. The Commission recommended the strengthening of the inspection staff to cope up with the needs of inspection and pleaded for more full time inspectors. As a result of this recommendation, the Factories Act 1911 made a special provision for the appointment of factory inspectors. The subsequent enactments made further improvements in this direction. The Factories Act 1922 made the penalties for breaches more deterrent.

11.6. The Royal Commission on Labour which was set up in 1929 also reviewed the general administration of the Factories Act in detail. With a view to improving the enforcement of the Factories Act it made specific recommendations for strengthening of the inspectorates and for the appointment of medical inspectors. As a result of Royal Commission's recommendations the Factories Act 1922 was repealed and a new Act of 1934 was placed on the statute book, improving still further the provisions for strengthening the inspectorates.

11.7. The Labour Investigation Committee appointed in 1944, also reviewed the functioning

1. Planning Commission paper 'not published'.

2. Fourth Five Year Plan—A Draft Outline, p. 395.

of the enforcement machinery. It felt that inspection was inadequate and enforcement not up to the mark. It observed thus: "it is a regrettable fact that the enforcement of labour laws has not been up to the mark, and although much has been done by way of putting the workers' rights on the statute book, on the whole the worker has not been able to obtain a fair deal".³

11.8. With a view to improving the enforcement, the Committee recommended strengthening of the machinery of inspection. More frequent inspections and more stringent enforcement of the existing provisions could, in its opinion, go a long way in improving the conditions of work, reducing the number of accidents, and maintaining the efficiency of workers.

11.9. The foregoing paragraphs indicate clearly that the need for introducing measures for the effective administration of the Factories Act was recognised by all the investigating bodies set up from time to time. The problem was, however, given a serious attention only when the Government of India in 1946 requested for the services of Sir Wilfrid Garrett⁴ to advise on the administration of the Factories Act and the improvement of working conditions in factories. He also acted as Chief Adviser of Factories in India for some time in 1946-47. He undertook the task of examining Indian Factories Act and of suggesting ways and means by which improvements could be brought about. Sir Wilfrid Garrett made many valuable

suggestions for improving the quality and effectiveness of the factory inspection services. Most of these suggestions were incorporated in the Factories Act, 1948.

11.10. Despite specific provisions of penal clauses in this comprehensive enactment for non-implementation of the Act the need for effective implementation of its various provisions still continues. This leads us to identify and analyse some of the problems facing labour administration such as strengthening and reorganisation of inspection machinery; the measures to be adopted for improvement of enforcement machinery; constitution of all-India inspectorate service and the changes required in the penal clauses of the Act.

Strengthening of the enforcement machinery.

11.11. One of the main obstacles in effective enforcement of the welfare provisions of the Factories Act has been the numerical inadequacy of the inspection staff. Almost all the State Governments in their replies to the questionnaire as well as the Study Groups appointed by them have in their reports admitted that inadequacy of the inspection staff in each State has been the main handicap in the effective implementation of statutory welfare provisions. This view is also borne out by the available statistics on the subject.

11.12. The following table⁵ gives in detail the number of factory inspectors and the factories in each State in the year 1965:—

TABLE I

Sl. No.	States/Union Territory Administrations.	Inspectors (excluding Chief Insp., Medical, Lady, Chem. & Productivity Inspectors)	No. of medical Inspectors	No. of Factories	No. of Factories per Inspector
1	2	3	4	5	6
1	Andhra Pradesh	20	1	5,917	296
2	Assam	6	1	1,470	245
3	Bihar	24	1	12,359	513
4	Gujarat	26	..	4,829	185
5	Jammu & Kashmir	2	..	191	96
6	Kerala	9	1	2,863	318
7	Madhya Pradesh	7	..	2,452	350
8	Tamil Nadu	31	..	6,833	220
9	Maharashtra	43	1	10,084	235
10	Mysore	10	1	2,512	251
11	Orissa	5	..	886	177
12	Punjab	8	2	5,318	665
13	Rajasthan	7	..	1,523	217
14	Uttar Pradesh	16	1	3,729	233
15	West Bengal	19	3	5,878	309
<i>Union Territory Administrations</i>					
16	Andaman and Nicobar	1	..	16	16
17	Delhi	3	1	1,377	459
18	Himachal Pradesh	1	..	43	43
19	Tripura	1 (Vac.)	..	76	76
20	Goa	NA.	NA.	NA.	N.A.
TOTAL		239	13	68,356	286

3. Report of the Labour Investigation Committee (main report), page 9.

4. Sir Wilfrid Garrett was Chief Inspector of Factories in the United Kingdom before he came to India.

5. Source.—Director General, Factory Advice Service and Labour Institutes, Bombay.

11.13. It would be seen from the above table that the inspector-factories ratio has not been uniform. On an average the number of factories supposed to be covered by an inspector is about 300. This average is, however, much higher in a number of States. In the State of Punjab the number of factories per inspector is as high as

665, in Bihar 513, in Delhi 459 and in Madhya Pradesh 350. This situation has led to inadequate inspections.

11.14. Statistics^a regarding number of inspected and uninspected factories in each State in 1965 are also given below:—

TABLE II

Sl. No.	States/ Union Territory Administrations	Total No. of factories.	Number of Factories inspected.	Factories Uninspected	
				Number	Percentage
1	2	3	4	5	6
<i>States</i>					
1	Andhra Pradesh	5,917	4,770	1,147	19.4
2	Assam	1,470	669	801	54.5
3	Bihar	12,359	8,011	4,348	35.2
4	Gujarat	4,829	3,745	1,084	22.5
5	Jammu and Kashmir	191	136	55	28.8
6	Kerala	2,863	2,668	195	6.8
7	Madhya Pradesh	2,452	1,591	861	35.1
8	Tamil Nadu	6,833	6,718	115	1.7
9	Maharashtra	10,084	9,073	1,011	10.0
10	Mysore	2,512	2,138	374	14.9
11	Orissa	866	282	604	69.0
12	Punjab	5,318	3,745	1,573	29.6
13	Rajasthan	1,523	786	737	48.4
14	Uttar Pradesh	3,729	3,691	38	2.0
15	West Bengal	5,878	4,146	1,732	27.8
<i>Union Territory Administrations.</i>					
16	Andaman and Nicobar	NA.	NA.	NA.	NA.]
17	Delhi	1,377	967	410	29.8
18	Himachal Pradesh	43	29	14	32.6
19	Tripura	76	64	12	15.8
20	Goa.	NA	NA	NA	N.A.

11.15. It would be evident from this table that on an average the percentage of uninspected factories in 1965 was 22 while in some of the individual States the percentage of uninspected factories was quite high. In Orissa it was 69 per cent, in Assam 54.5 per cent, in Rajasthan 48 per cent and in Bihar and Madhya Pradesh 35 per cent respectively. This obviously shows that factory inspectors in different States are inadequate to inspect the factories even once in a year and owing to shortage of time at the disposal of inspectors the inspections made are even qualitatively unsatisfactory.

11.16. The reports of the Study Groups on implementation of statutory welfare provisions received from various State Governments reveal that even out of the inadequate sanctioned strength of inspectors, a number of posts have continued to remain unfilled. This fact alone has given a considerable set back to the enforcement and inspection work in the States.

11.17. The Study Groups have also pointed out that factory inspector has to perform multifarious jobs. Besides the work of enforcement of the Factories Act he is also an inspector under the

Payment of Wages Act, Maternity Benefit Act, Employment of Children Act, and Personal Injuries Insurance Scheme. This is besides the complaints of the trade unions and individuals that a factory inspector has to handle and has also to make his appearances in the Courts to pursue the prosecution. The Study Groups have, therefore, felt that keeping in view all such duties it becomes entirely difficult for the factory inspector to do full justice to the enforcement of the statutory welfare provisions in factory establishments.

11.18. The Committee after having given careful consideration to all the relevant data available and the views expressed by the parties concerned feels that the existing inspectorate staff does fall short of the requirements of the enforcement of the existing law and, therefore, recommends that the norm viz., one inspector for every 150 factories recommended by Labour Ministers' Conference in 1960 is quite reasonable and should be implemented by each State without any further delay. The Committee further recommends that the State Governments should make adequate and speedy arrangements to ensure that at least two inspections of a factory are carried out every year. This standard will, of course, not apply in the case of large scale factories where more than this minimum may be needed to ensure proper and effective implementation of labour laws. The Committee hopes that these norms, if adopted, should result

in considerable improvement over the existing state of affairs in enforcement of the statutory welfare provisions.

11.19. Readjustment and reallocation of jurisdictions arising as between different inspectors in each State should also result in the more effective functioning of the inspectorate.

Utilisation of licensing fee for strengthening inspectorates.

11.20. A problem closely connected with the strengthening of inspectorates is the problem of availability of finances in each State. Almost all the States are of the view that the main hurdle in increasing the strength of inspectorates is paucity of funds.

11.21. The main source of finances of the factory inspectorates is the licensing fee. The provisions of licensing were introduced for the first time in the Factories Act, 1948 with the idea of providing necessary funds to the State Governments for strengthening the factory inspectorate and for performing their regulatory functions effectively.

11.22. The statistics relating to the income and expenditure of the State factory inspectorates for the year 1965 are presented below:

TABLE—III

Sl. No.	States/Union Territory Administrations.	1965 (Rupees in lakhs)		
		Estimated Income	Estimated Expenditure	Surplus and deficit between Income and Expenditure.
1	2	3	4	5
<i>States</i>				
1	Andhra Pradesh	6.21	6.24	(—) 0.03
2	Assam	NA	NA	NA
3	Bihar	5.47	5.24	(+) 0.23
4	Gujarat	6.78	3.33	(+) 3.45
5	Jammu and Kashmir	NA	0.08	—
6	Kerala	4.54	3.85	(+) 0.69
7	Madhya Pradesh	3.30	1.65	(+) 1.65
8	Tamil Nadu	15.33	9.86	(+) 5.47
9	Maharashtra	14.33	8.75	(+) 5.80
10	Mysore	3.90	2.78	(+) 1.12
11	Orissa	1.83	0.74	(+) 1.09
12	Punjab	6.34	1.36	(+) 4.98
13	Rajasthan	2.42	1.40	(+) 1.02
14	Uttar Pradesh	8.00	5.04	(+) 2.96
15	West Bengal	11.15	5.39	(+) 5.76
<i>Union Territory Administrations</i>				
16	Andaman and Nicobar	NA	NA	NA
17	Delhi	1.70	1.70	Nil
18	Himachal Pradesh	0.13	0.04	(+) 0.09
19	Tripura	0.07	NA	..
20	Goa	NA	NA	NA

7. Source.—Director General, Factory Advice Service and Labour Institutes, Bombay.

11.23. It would be noticed from the available data that income accruing to almost all the States in the form of licensing fees, excepting Andhra Pradesh, is in excess of the expenditure incurred by them on the maintenance of inspectorates. The information given above also indicates that the estimated income is much more than the estimated expenditure on factory inspection services in some States. In such States where the income is more than the expenditure there should be no problem for strengthening the inspectorate as extra-funds needed can be safely provided from the revenues which the State Governments are collecting through licensing fees.

11.24. The possibility of revising the rate of licensing fee of factory establishments may be considered by the State Governments. According to information available to this Committee the State of Andhra Pradesh have already decided to enhance the fees.

11.25. The Committee after having considered the whole issue feels that the licensing fees which the State Governments are empowered to levy under the provisions of section 6 of the Factories Act is primarily intended to be a payment for performing regulatory functions. The object of the Factories Act is to ensure safety, health and welfare of factory workers. It would, therefore, be appropriate if licence fees realised under the Act are not utilised for purposes other than those for improving and augmenting the inspection services.

11.26. We therefore, recommend that as the registration fees is collected for performing regulatory functions pertaining to safety and welfare measures, it is essential that the Factories Act be suitably amended by the Central Government so as to make it binding on the State Governments to utilise the money collected by way of fees solely for the purposes of the enforcement of the provisions of the Factories Act

Reorganisation of the factory inspectorate.

11.27. It is not enough to strengthen the inspectorate quantitatively. It is perhaps more important to improve it qualitatively also for meeting the requirements of the changing situation in industry.

11.28. During the last two decades or so, the industrial complex in India has undergone considerable changes both in structure as well as in complexion. The development of metallurgical industry, heavy engineering industries, chemical process industries, fertilisers, pesticides, dyestuffs and petro-chemical industries have brought in its wake new and complex environmental health problems. To meet this changing situation in industry, the organisation of inspection services also needs to be improved. In this connection, sixteenth session of the Labour Ministers' Conference made a number of recommendations regarding proper organisation and strengthening of the factory inspectorate in each State. **The Committee strongly reiterates the recommendations of the said Conference and urges upon the State Governments to implement them expeditiously.**

Creation of statistical cell in each State inspectorate.

11.29. The importance of a well-equipped statistical cell in each State inspectorate can hardly be

over-emphasised as collection, compilation and publication of statistics are essential for efficient administration of welfare measures. We, therefore, feel that wherever suitable arrangements to collect the statistics do not exist at present, early steps be taken to establish a suitable machinery as an integral part of factory inspectorates.

Bifurcation of factory inspectorate into technical and non-technical staff.

11.30. The 16th session of the Labour Ministers' Conference in 1960, recommended the creation of a separate cadre of non-technical inspectors to administer the non-technical provisions of the Factories Act. These mainly relate to welfare measures. The main idea behind this was that technical inspectors should not waste their time on routine matters and they should devote more attention to safety measures.

11.31. Some of the State Governments are already considering this proposal and feel that creation of such a cadre would be useful as non-technical inspectors would be able to pay greater attention to the health and welfare measures of workers. The enforcement of non-technical provisions of Factories Act, viz., working conditions, health and welfare etc., should be entrusted to the labour inspectors having specialised knowledge of welfare work.

11.32. The Committee agrees with the above view and recommends that the existing factory inspectorates should be bifurcated into technical and non-technical wings. Further, wherever necessary the strength of non-technical inspectors (labour welfare inspectors) may be suitably strengthened.

Training to inspectorate staff.

11.33. Considering the importance of the techniques of production and the sophisticated nature of the machinery and the hazard involved therein, the Committee considers that it will be useful if suitable reorientation courses are started for giving refresher training to factory inspectors of the State Governments. To supplement this, frequent seminars may also be organised with the cooperation of employers and workers organisations. This will also help in educating public opinion for labour welfare and also a media of education between employers and workers.

Appointment of safety officers.

11.34. Prevention of accidents is an important indirect welfare provision as the safety of workers inside the factory premises is the first step towards welfare. The provision of proper safety measures in an undertaking will not only minimise occurrence of accidents but will also help in the smooth and efficient working of the plant and boost the morale of the workers.

11.35. Any serious or fatal accident strikes at the very root of the welfare of the worker and his family. This is more a human problem and proper maintenance of safety devices and use of protective equipments are essential to prevent accidents. While there is a provision for the appointment of welfare officers under the Factories

8. The Rajasthan High Court has decided in a case that the fees realised from the registration of factories should be spent on the enforcement machinery. (A.I.R. 1254, Raj.- 178).

Act to look after the statutory welfare measures, there is no provision for the appointment of a safety officer to ensure the safety of the workers. The Committee feels that it is not at all possible for the inspectorate to have constant and continuous vigil on industrial units. It is also not possible for the management to devote more attention to this aspect due to their pre-occupations and pressing demands on their time. The Committee, therefore, recommends that it **would be helpful to appoint a safety officer in all factories employing 500 or more workers. To ensure effective control, the appointment of safety officers may be regulated by the State Governments. The Committee feels that provision to this effect may be incorporated in the welfare section of the Factories Act, 1948.**

Enforcement standards and suggestions for improvements.

11.36. One of the tasks before this Committee has been to examine the scope of the existing legislation and to find out as to what extent it has been implemented and how and in what manner the enforcement of the existing legislation could be further improved upon. With this objective in view the Committee requested the State Governments including Union Territories to set up Study Groups/Sub-Committees to evaluate the extent and nature of implementation of statutory welfare provisions in various States. The Study Teams were asked to evaluate the extent of implementation of statutory welfare provisions, type of changes required in the penal clauses, and how best the inspection machinery could be made more effective, etc.

11.37. These Study Groups have examined the problem of implementation and have also recorded oral evidence of employers' and workers' organisations wherever considered necessary. The reports of the Study Teams received by the Committee reveal that the standards of implementation vary from State to State.

11.38. The Sub-Committee appointed by the Government of Madhya Pradesh is of the view that by and large the welfare provisions under the Factories Act are being implemented satisfactorily. However, there is still scope for improvement if the inspectorate could be strengthened to conduct more frequent inspections and if both the employer and employee have a better appreciation of the spirit of these provisions.

11.39. The Government of Tamil Nadu are of the opinion that by and large statutory welfare provisions have been implemented both in letter and spirit by the factories but there may be a few lapses here and there like non-provision of drinking water, inadequate cleanliness, lighting, ventilation and non-provision of safety guards etc. in some factories as per specifications. The Study Teams appointed by the Orissa Government and the State of West Bengal are of the opinion that by and large statutory welfare provisions are being implemented more to fulfil the letter of the law than to meet the spirit of the provisions behind it. The Sub-Committee appointed by the Government of Bihar has observed that the provision of Factories Act 1948 relating to welfare facilities are being implemented both in letter and spirit but there are cases of non-implementation or partial implementation of certain provisions in certain factories.

11.40. These findings thus reveal that though in a majority of cases, especially the bigger industrial units, have implemented the statutory welfare provisions there is still scope for further improvement in this direction. Much remains to be done in the case of smaller and medium sized units.

11.41. Most of the State Governments are also of the view that although the existing statutory welfare provisions are adequate to meet the reasonable requirements of the workers at the present level of industrial development but their enforcement and follow-up is not very satisfactory and falls short of the desired achievements. It is, therefore, necessary to take steps both to create social awareness and respect for law amongst the defaulting parties as also to make the penal provisions more deterrent.

Modifications in the penal clauses of the factories Act.

11.42. There is a consensus of opinion among the Study Groups appointed by various State Governments that although defaulters under the Factories Act can be punished with imprisonment or fine or with both, in practice fines imposed or punishments awarded have not met the purpose of the penal provisions. These have not proved deterrent enough to reduce the extent of defaults. The Study Groups, have, therefore, suggested that section 92 of the Factories Act be suitably amended by laying down a minimum penalty for contravention of the provisions of the Act.

11.43. Labour legislation being social in nature the views on a issue like this are bound to differ as it affects different parties differently. One view is that labour legislation should develop its sanctions through the process of education and persuasive methods rather than resorting to penal action. The other view is that adoption of coercive measures through law becomes essential as persuasion and other methods followed so far have not produced the desired results.

11.44. It is true that a re-orientation has to be brought about in the attitude and outlook of both the management and the workers through the process of education and persuasion rather than resorting to coercive methods. Inspection machinery should not be at par with police but should function as a friend, guide and philosopher to the managements. While there could be no two opinions about it, legal provisions have to be complied with in the interest of the community as a whole.

11.45. In industrially advanced countries the position is entirely different. In India, however, especially owing to lack of education sufficient public opinion has not yet been built up. As long as working conditions in factories do not conform to the legal requirements, the penalties under law cannot and ought not to be dispensed with. The Study Teams appointed by various State Governments are generally of the view that penal action is not effective and commensurate with the seriousness of the offence and unless penalties are made deterrent enough the implementation cannot bring about the desired results.

11.46. The Committee feels that respect for law is of the greatest help in raising the general standard of compliance. Inspections are necessary

to force the defaulters to fulfil legal requirements. It is, however, a fact that a high standard of compliance cannot result from inspection and coercive methods alone without willing acceptance of the law as it stands by all concerned. Determination to implement, is therefore, equally important. The creation of consciousness through education and building up of public opinion is, however, a long term process. Till this laudable object is achieved, the only method which can result in better implementation of legal obligations is by enforcing the statutory standards through rigid and vigorous inspection.

11.47. We feel that it is essential to take a number of steps to achieve the desired purpose. We, therefore recommend that :

- (a) **In order that penal provisions of the Factories Act are really deterrent and effective enough to ensure proper compliance of statutory obligations there should be a minimum fine of Rs. 500 which may go up to Rs. 3,000 for repeated infraction or violation of the statutory provisions.**
- (b) **It has been found that disposal of cases sometimes takes considerable time to materialise. It is, therefore, desirable that provision for quick disposal of such cases should be laid down in the rules.**
- (c) **With a view to ensuring that statutory welfare amenities are provided from the inception of the factory, it seems desirable to introduce a provision in the statutes that no factory shall start functioning or be permitted to be constructed if such necessary provisions are not made in the construction plan for the proposed factory.**

11.48. Apart from the above changes suggested in the penal clauses of the Factories Act there are certain other measures which if adopted will be useful in improving the factory inspection services to discharge their duties effectively and efficiently.

Transport facilities to inspectorate staff.

11.49. The Study Teams of the State Governments are of the view that one of the difficulties faced by the inspection staff for proper and speedy inspections is lack of requisite number of vehicles at their disposal. Frequent and surprise visits have been considered essential as there are many advantages of such visits. In the first place, where factories lie scattered over a vast area it is not possible for inspectors to visit such units and the inspectors have to depend upon other public or private sources of conveyance. It defeats the purpose of surprise visit. Lack of mobility also increases the gap of the period intervening between two inspections. This also helps the defaulting employers to relax their efforts in the implementation of the legal obligations.

11.50. The provision of conveyance facilities will not only increase the frequency of inspection visits but will also enable the staff to discharge their duties efficiently. **The Committee, therefore, recommends that either the inspectorate staff may be provided with Government vehicles or suitable conveyance allowance/advance may be given to the inspectors to enable them to own, maintain and run their own vehicles.**

Organisation of annual meetings of chief inspector of factories.

11.51. The Factories Act is a Central Act and is common to all the States. Rules prescribed under the Act are also framed more or less on a uniform basis. The extent of enforcement of the Act and Rules, however, varies from State to State. Such inter-State variations could be avoided if the inspectorates have sufficient inter-State contacts and there is a regular exchange of experience. The Committee feels that a conference of chief inspectors of factories, at least once in a year, both at regional as well as at all India level, would give opportunities to them to discuss various problems faced by the enforcement machinery. Such conferences will also help to introduce uniformity in enforcement of statutory provisions. The Committee, therefore, recommends that **exchange of views among the officers of the labour departments of the various States, both at the regional level as well as at all-India level be organised periodically. We also favour that the chief inspectors of all States should meet at least once in a year to discuss various problems facing the enforcement machinery and to find out solution for resolving problems relating to labour administration.**

Tripartite committees for enforcement of factory act provisions at plant level.

11.52. The implementation of statutory welfare provisions largely depends on the outlook and approach of the management as well as the co-operation which the employees extend to the employers. The primary function of the inspectorate is not only to ensure the legal compliance but also to create an atmosphere in which the obligations and the responsibilities are properly understood and accepted by the parties concerned. We, therefore, strongly recommend that **compact tripartite committees comprising equal number of representatives of employers, workers and senior officers of inspectorates may be constituted at the plant or industrial level to discuss difficulties involved in the implementation of statutory welfare provisions and to secure improvement in their implementation.**

11.53. The constitution of such tripartite committees will help in educating the workers and employers about the usefulness of the provision of statutory welfare provisions which are in the interest of both the parties. It will also result in better appreciation of each others view point and thus may help pave way for a better understanding.

Setting up of directorate of factories.

11.54. In most of the States the chief inspector of factories is subordinate to the commissioner of labour, while in some other States he is directly under the control of the labour and industry departments of the State Governments. In some States the commissioner of labour also acts as the chief inspector of factories.

11.55. The Factories Act being one of the most important pieces of labour legislation it is necessary that the chief inspector of factories should be able to advise the Government directly on the working of the Factories Act and matters connected therewith.

Setting up of specialist and research units.

11.56. As stated earlier, the growth of new industries has given rise to the need for research in human aspect of industry including occupational hazards. It is felt that every factory inspectorate should have a cell of specialists comprising minimum of one medical inspector, chemical inspector (chemical engineer) and engineering inspector. It is also desirable that every specialist cell must have well-equipped industrial and chemical laboratory with adequate staff.

11.57. The Committee after reviewing the whole situation recommends that **inspectorate in each State should appoint medical and chemical inspectors where they have not been appointed so far, and there should be research centre attached to the State inspectorate under the charge of a person specialised in industrial medicine to conduct industrial hygiene and health surveys to find out occupational diseases and to recommend measures to remedy them. Sufficient equipment should also be provided to such research centre.**

Constitution of an all India inspectorate service.

11.58. Another important problem which has been engaging the attention of this Committee has been the constitution of an all-India inspectorate service. The Labour Investigation Committee as far back as in 1946 had also stressed the need for the maintenance of uniformity in the standards of inspection in various provinces. In this connection, the Committee observed: "As a matter of fact, however, the standards of inspection in different Provinces vary immensely. We do not wish to single out one Province or another either for praise or for blame, but we may generally state that standards in most Provinces are poor, and, moreover, even the strength of the inspectorates is miserably small. We are sure that if factory inspection were a Central responsibility, this state of affairs could not have arisen".⁹

11.59. The Committee issued a circular letter to all the State Governments and Union Territories with a view to eliciting their opinions on this issue. The Committee also invited the views of Director General, Factory Advice Service and Labour Institutes on this subject.

11.60. Some of the Study Groups as well as State Governments have favoured the idea of an all-India uniform and integrated inspectorate service. They are of the view that creation of such a service would be more conducive to effective and efficient enforcement of welfare provisions as it will attract better talent and remove some of the difficulties experienced by inspection machinery such as low scales of pay, lack of avenues of promotion and lower status etc.

11.61. The Study Team appointed by Government of Andhra Pradesh feels that constitution of an all-India inspection service will attract better talent if proper scales of pay and better opportunities of promotion are available. It says that the present set up in the States could continue to be the same except that the officers are drawn from an all-India service. It may be on the same lines as the proposed all-India medical service and all-India engineering service. The Study Team further feels

that the formation of an all-India inspectorate service will create better security and prospects of service. The quality of enforcement would also improve and bring out better results.

11.62. The Sub-Committee set up by Delhi Administration has pointed out that an all-India uniform and integrated service will be useful but the linguistic problems and low salaries which the inspectorate staff under the Factories Act get will create practical difficulties with regard to their transfer to places all over India. The Sub-Committee has, therefore, suggested that in the first instance, integration of such staff on zonal basis along with uniformity in pay-scales would be desirable.

11.63. On the other hand a number of States have not favoured this idea as they feel that there is no need for the creation of such a service. Most of the problems facing the State inspectorates would be removed by strengthening them and by improving their pay scales, status etc. The State Government of Haryana are of the view that since the implementation of labour legislation is ultimately the responsibility of the State Government it is only reasonable that the inspecting officers should also belong to the State services.

11.64. The State Government of Bihar have said that labour is a concurrent subject under the Constitution of India. The jurisdiction of the Central Government and the State Governments are well defined. Certain industries like mines come under the purview of Central Government whereas others come under the jurisdiction of the States. There is, therefore, no necessity of co-ordination. The State Government are also of the view that constitution of such a service will involve considerable expenditure in as much as the pay scales of all the inspectors of factories will have to be revised to bring them in line with the pay scales of others.

11.65. Some of the other States also hold the view that as the State Government is responsible for enforcement of the provisions of the various Acts, depending upon the local conditions, an all-India integrated inspectorate may not serve the purpose and will not prove more useful for an effective and efficient administration of the existing statutory welfare provisions.

11.66. The Director General, Factory Advice Service and Labour Institutes has observed that formation of an all-India inspectorate service is not to be conceived with the idea of improving the status and conditions of service but for bringing about uniformity in the administration of the technical provisions as applicable to the factories. The formation of such a service would greatly improve the efficiency of the administration if technical provisions relating to safety and health are separated from those relating to welfare amenities such as hours of work, leave, holidays with pay etc. It is in respect of technical provisions that there is a need for an all-India inspectorate service as an efficient service, with technically qualified inspectors could be built up who could enforce the various provisions uniformly throughout the country.

11.67. Thus it would be seen from the information given in foregoing paragraphs that there is no unanimity on the issue regarding constitution of all-India inspectorate service. The Committee after having considered the various implications involved in the creation of such a service feels that this question needs further examination by a specialised body before any step is taken in this direction. **The 16th Labour Ministers' Conference held in 1960**

had recommended improved pay scales for the inspectors and creation of higher posts and bifurcation of technical and non-technical cadre of inspectorates with a view to re-organising the inspectorates on proper lines. We feel that if these recommendations are implemented by each State in full, they will help in improving the status and conditions of the factory inspection services in making them more effective.



PART III

WELFARE AMENITIES IN SELECTED INDUSTRIES

Introduction

In Part II of the Report an attempt has been made to review in detail statutory as well as non-statutory welfare measures such as canteens, creches, housing, medical, recreational and transport facilities etc., for the manufacturing Industry, as a whole, without any reference to any particular industry.

XII-(II). Although Factories Act, 1948, and the Rules made thereunder, prescribe certain norms of statutory labour welfare measures for compliance by individual establishments, the standard of these welfare measures in practice as also a large number of non-statutory welfare measures which are provided over and above statutory obligation, differs from industry to industry and even from unit to unit within the same industry depending upon a variety of factors. There are certain departmental undertakings as well which are run by the Central Government. The standard and administration of welfare amenities in these undertakings are on a different level and pattern than those obtainable in other factory establishments. Besides important industries and departmental undertakings, the Committee felt that the provision of welfare amenities to workers employed in industries like municipal bodies, construction and building industry and motor transport industry, should also be studied. The pattern of welfare amenities in these industries does not and cannot conform to the norms laid down for factory establishments. Provision of welfare amenities to these industries is governed either by departmental rules and regulations framed under Municipal Acts or by-laws adopted by different State Governments.

XII-(III). The Committee, therefore, felt necessary to review welfare amenities in a few selected industries including the departmental undertakings and industries like Construction as well as some occupations etc., to have an idea of the extent and nature of welfare amenities available to the workers employed therein. Such a study could, however, be conducted only in those industries on which sufficient information/data through published or other sources is available, to enable the Committee to have an all-India picture.

We selected 15 industries in all for the purpose. These are as follows:

- (i) Iron & Steel;
- (ii) Sugar;
- (iii) Cotton;
- (iv) Jute;
- (v) Cement;
- (vi) Railways;
- (vii) Posts & Telegraphs;
- (viii) Defence Installations and Workshops;

- (ix) Life Insurance Corporation;
- (x) Ports & Docks;
- (xi) Banks;
- (xii) Municipal Bodies;
- (xiii) Building and Construction Industry;
- (xiv) Motor Transport Workers; and
- (xv) Seamen.

XII-(IV). We would have liked to study in detail welfare amenities existing in various other industries, especially those which cannot be classified as large scale industries. We are, however, handicapped in making any ventures into those fields because of non-availability of information on All India basis with regard to this group of industries. We have, however, tried to cover some of those industries in a separate chapter of this Report.

IRON AND STEEL INDUSTRY

Employment

12.1.1. The Iron and Steel Industry employs nearly 1,82,000 workers. Of these, about 1,11,000 workers are employed in three Public Sector Plants of Hindustan Steel Ltd. Of the remaining 71,000 workers, nearly 38,000 are employed in the Tata Iron & Steel Company. The Plant-wise employment* in this Industry is as follows:—

Companies	Employment in 1966
TISCO	37,988
IISCO	23,274
Mysore Iron & Steel Ltd.	9,681
<i>Hindustan Steel Ltd :</i>	
(a) Bhilai Steel Plant	51,739
(b) Durgapur Steel Plant	27,517
(c) Rourkela Steel Plant	31,525

12.1.2. Another Steel Plant in the Public Sector is under construction at Bokaro. It is estimated that about 20,000 to 25,000 workers would be employed in this Plant.

12.1.3. The principal feature in the case of this Industry is that the Steel Plants employ considerably large number of workers and the industrial unit is to be established in a separate township. All the ancillary welfare facilities have to be provided to the workers living in the townships of the Steel Plants.

* Source.—Hand book of statistics for Iron and Steel Industry in India, 1966 (HSL).

Statutory Welfare Amenities

12.1.4. In so far as the compliance of statutory provisions is concerned, all these Plants are providing the basic minimum welfare measures as provided in the Factories Act and the Rules framed thereunder to protect the health of the employees. Necessary conservancy facilities, cleanliness and suppression of dust and fumes and adequate facilities for ventilation and lighting, are being provided to the workers. Safety provisions, as prescribed by law, are provided by all these plants in all the shops and departments within the Plants and adequate number of first aid boxes equipped with prescribed appliances have been provided. Workers of the various shifts have been trained in rendering first aid. A full-fledged medical post also functions, round the clock. Statutory regulations concerned with welfare and health of the workers call for the provision of toilets, urinals, drinking water, cloakroom, washing facilities and rest rooms etc., all of which have been provided by the managements of Steel Plants.

Canteen

12.1.5. The statutory provision with regard to canteen has been fully complied with by all the Steel Plants. The number of canteens maintained by various Steel Plants are as follows:

Name of the Steel Plant	No. of workers as on 31-3-1966	No. of canteens
1. Hindustan Steel Limited.		
(a) Bhilai . . .	29,525	26
(b) Rourkela . . .	22,286	13
(c) Durgapur . . .	22,261	15 plus 4 Kiosks
2. TISCO . . .	36,712	6 plus 2 Kiosks
3. IISCO . . .	17,518	3 plus 5 Kiosks
4. Mysore Iron & Steel Ltd.,	9,137	1 plus 1 canteen run by contractor.

12.1.6. Canteens are generally run departmentally in the Steel Plants but in the Bhilai Steel Plant under Hindustan Steel Ltd., the canteens are run by Co-operative Societies set up by the employees of different shops. Though under the law, canteens are required to be provided on "no profit-no loss" basis, the canteens are in fact heavily subsidised by the management. Arrangements in the canteens, which generally open for 18 hours a day, exist for the sale of hot and cold drink, snacks and meals etc. at cheap rates.

Non Statutory Welfare Amenities

12.1.7. The expenditure incurred by various Steel Plants on non statutory welfare amenities for each worker per year is given in the table* below:—

(In Rupees)

Plant	Housing	Medical	Education	Transport	Recreation	Total
Tata Iron & Steel Co. Ltd.	181.80	160.56	61.32	..	29.64	433.32
Indian Iron & Steel Co. Ltd.	348.48	123.48	52.44	..	6.00	530.40
Mysore Iron & Steel Ltd.	124.08	55.32	26.76	51.12	..	257.28
Hindustan Steel Ltd., Bhilai Steel Plant	261.12	134.04	55.32	32.64	4.44	487.56
Durgapur Steel Plant	300.00	113.64	31.56	290.52	6.24	741.96
Rourkela Steel Plant	345.24	128.88	27.72	114.60	98.04	714.48

From the table, it is clear that 40 to 50% of the expenditure is incurred on housing facility alone; expenditure on medical facilities comes next.

Housing Facilities

12.1.8. Housing is generally provided in all the Steel Plants though the coverage varies from one plant to another plant. The table below gives the percentage of workers who have been provided housing accommodation in various steel plants:

Name of the Plant	Percentage of workers provided housing accommodation
Durgapur Steel Plant.	69%
Tata Iron & Steel Co.	68%
Rourkela Steel Plant	64%
Mysore Iron & Steel Plant	50%
Bhilai Steel Plant	53%
IISCO	26%

* Source: 1. Report of the Central Wage Board for Iron & Steel Industry.

2. Replies received from H.S. Ltd., Ranchi. (The expenditure per worker per year has been worked out by the Secretariat of the committee on Labour Welfare by multiplying the per capita expenditure per month by 12. In the material mentioned above, they have quoted expenditure per worker per month which serves the basis for this calculation).

12.1.9. Generally all the houses are provided with modern amenities like laid-on water supply, electricity and electric and sanitary fittings, etc. The Indian Iron & Steel Co. Ltd., provides rent-free accommodation to its employees, whereas the Mysore Iron & Steel Ltd. provides rent free accommodation to certain categories of employees. In Tata Iron & Steel Co., house rent is collected from the employees at the rate of 10% of their salary (including dearness allowance) or a standard rent which is prescribed for different types of accommodation. The employees in Hindustan Steel Ltd., have to pay 7½% of their salary (including dearness allowance) towards the rent. Workers drawing over Rs. 150/- a month have to pay 10% of pay towards house rent. Workers engaged in nursing, security and fire brigade services are provided rent-free accommodation by the Hindustan Steel Ltd. In the case of Hindustan Steel Ltd., and TISCO, house rent is restricted to the prescribed percentage of pay or the standard rent whichever is less.

Medical Facilities

12.1.10. The E.S.I. Scheme has not been extended to any of the Steel Plants which provide their own medical facilities to their workers. Managements of the Plants run well-equipped hospitals in their steel townships supplemented by health centres and dispensaries in different residential localities. Free medical facilities to workmen and the members of their family are available in all the public and private sector steel plants. The number of beds as against the number of employees in different plants is indicated below £:

Name of the Plant	No. of beds	No. of employees	Ratio of beds to employees
Tata Iron & Steel Co. Ltd. @	608	34,223	1:56
Indian Iron & Steel Co. Ltd.	270	17,942	1:66
Mysore Iron & Steel Ltd.	150	88,43	1:59
<i>Hindustan Steel Ltd.</i>			
(a) Bhilai Steel Plant	365	28,557	1:78
(b) Durgapur Steel Plant	250	21,889	1:87
(c) Rourkela Steel Plant.	300	22,531	1:75*

12.1.11. In the Tata Iron & Steel Limited and the Indian Iron & Steel Co. Ltd., facilities for domiciliary treatment are also available to patients. Facilities for specialised treatment are available in all the steel plant hospitals. In addition, public health and industrial health services are also provided in the steel plants. All the steel plant hospitals run family planning clinics with arrangement for distributing contraceptives and performing

tubectomy and vasectomy operations. Grants-in-aid and supplies of contraceptives are obtained under the Government Family Planning Scheme. The Tata Iron & Steel Co. Ltd., has been rendering yeoman's services for the cause of family planning. The management gives incentives, to the tune of Rs. 200/- to an employee undergoing a vasectomy or tubectomy operation and Rs. 25/- for a loop insertion. The work in relation to family planning has been considerably increasing in the three public sector plants. Sterilization operations and IUCD insertions have gone up since 1964-65. The following table gives an idea of the work done in family planning:

Unit	Year	Sterilizations			IUCD Insertions
		Male	Female	Total	
Bhilai Steel Plant	1965-66	..	..	282	225
	1966-67	..	..	368	337
Durgapur Steel Plant	1965-66	71	13	84	358
	1966-67	162	23	185	503
Rourkela Steel Plant	1965-66	135	62	197	88
	1966-67	161	95	156	138

Educational Facilities

12.1.12. Each of the Steel Plants has provided for education of employees' children. The number and level of schools run by different steel plants are indicated below**:

Number and level of schools run by TISCO, IISCO & HSL

Tata Iron & Steel Co. Ltd.	Higher Secondary	10
	Middle	3
	Upper Primary	6
	Lower Primary	9
Indian Iron & Steel Co. Ltd.	Higher Secondary	2†
	High School	1†
	Primary	5†
	K. G.	1†

Hindustan Steel Limited.

(a) Bhilai Steel Plant	Higher Secondary	4
	Middle	2
	Primary	20
(b) Durgapur Steel Plant	Multi-purpose Higher Secondary	3
	Primary	10
	Pre-Primary	11
(c) Rourkela Steel Plant	Higher School	1
	Higher Secondary	1
	Lower Secondary	10
	K. G.	1

£Source: Paper prepared on Iron & Steel Industry by the N.C.L.

@Information supplied by TISCO.

*As the number of beds has increased, the ratio now is 1:54.

**Source.—Report of the Study Group on Iron & Steel Industry—Submitted to the National Commission on Labour.

†Company aided.

12.1.13. In addition to institutional facilities, concessions are also given to the children of workers in the shape of uniforms, books, stationery etc. Exemption from tuition fee, free or subsidised meals, subsidised transport are also given in certain deserving cases. Stipends are also given to poor and meritorious students.

12.1.14. The educational facilities provided by the steel plants, are, by and large, satisfactory keeping in view the present day need of the workers. In the case of three public sector plants, there has been rapid increase in the expenditure on education since the year 1965 as is clear from the table below :

Year	Bhilai	Durgapur	Rourkela
1964-65 . . .	19.7	11.3	12.1
1965-66 . . .	24.3	15.6	12.5
1966-67 . . .	27.3	19.4	16.0

12.1.15. The Committee appreciates the progressively increasing efforts made by three steel plants on the education of children of workers. It is hoped that with an increase in the number of school going children, the managements will expand educational facilities to workers' children. Persuasive efforts on the part of the management with their respective State Governments for opening more schools in the plant area, would also help in expanding the facility.

Adult Education

12.1.16. Adult education also receives due attention from the managements of the steel plants. The expenditure is generally borne by the management. The Tata Iron & Steel Co. has been running a night school in which 500 adults receive education. In the Bhilai Steel Plant an ABC Adult Education Scheme has been in operation since 1961. An Adult Literacy Scheme was also introduced in the Rourkela Steel Plant in the year 1966. The entire expenditure on adult education in all these steel plants is met by the managements. Information in respect of Indian Iron & Steel Co. Ltd., Mysore Iron & Steel Ltd. and Durgapur Steel Plant, regarding facility of adult education is not readily available. The Committee hopes that these steel plants too would be having such schemes in their respective plants. In case they do not have such a Scheme, we earnestly hope that they will also fall in the line soon.

12.1.17. The Workers' Education Scheme evolved by the Central Board for Workers' Education is also being implemented in the Steel Plants. Under this Scheme, employees are trained as worker-teachers, who, in turn, start unit level classes to train other employees. Managements provide necessary facilities to employees attending the worker-teachers' training courses and for establishing unit level classes.

Transport Facilities

12.1.18. Subsidised transport facilities for the workers from their residence to the work place and back are available in all the steel plants under

Hindustan Steel Ltd. The extent of subsidy is as under :—

Bhilai Steel Plant	Rs. 2.72 per worker per month
Rourkela Steel Plant	Rs. 9.55 per worker per month in respect of those whose pay is below Rs. 200 per month and Rs. 5.25 in respect of those whose pay is above Rs. 200 per month.

12.1.19. According to information given to the Committee, such facilities are not available to the workers of TISCO, IISCO and Mysore Iron & Steel Limited. In reply to the questionnaire issued by the Committee, the Indian National Trade Union Congress has stated that transport charges for the workers should be paid by the employers, if they fail to provide the amenity of housing to their workmen near the work-site. We have dealt with the question of providing transport facilities to workers in another chapter of this Report. The recommendations made thereunder will cover the workers employed in Steel Plants also in the matter of provision of transport facilities to them.

Facilities for Recreation and Community Services

12.1.20. The managements of Steel Plants have provided recreational facilities to the employees and their families through clubs and community centres etc. organised by separate departments entrusted with this work. In the Bhilai Steel Plant under the Hindustan Steel Limited, a Sports and Recreation Council has been set up to organise various recreational and social activities for the benefit of the employees. The Social Welfare Unit in Rourkela Steel Plant under the Hindustan Steel Limited apart from organising such facilities, also recommends grants-in-aid to private institutions engaged in social work in the steel township. In the Tata Iron and Steel Company Limited, the Welfare Department provides Welfare facilities through numerous community development and social centres which are managed and financed by the steel plants. Private organisations and clubs, etc., engaged in providing community services are also aided by the Company through allotment of land and occasional financial grants. The plants of Hindustan Steel Ltd., provide furniture and other necessary equipment on loan to such private social organisations in addition to monetary grants. The Steel Plants have provided play-grounds and other facilities for sports to their employees. Well organised Inter Steel Plant and Intra-HSL Plant sports and games meets are a regular annual feature and are arranged by rotation in each Steel Plant. Radio sets are provided in the community centres. Library services are also available in the plant townships.

Distress Relief and Cash Benefits

12.1.21. The Hindustan Steel Ltd. has constituted three 'Amenities Funds' for three respective plants. The Fund is constituted by the budget allocation which is made at the rate of Rs. 2/- per employee per year. These funds are utilised for :—

- Relief to employees in distress due to serious illness, accidents, flood, fire, etc.
- Recreational, cultural and sports activities.
- Welfare activities in the field of education, such as, nursery schools, libraries, etc.

12.1.22. The Mysore Iron & Steel Co. Ltd. has a 'Distress Fund' which is raised by the voluntary contribution and is utilised for the workers for their distress relief like illness, death or injury. The Tata Steel Charitable Trust sanctions monetary grants for distress arising out of prolonged sickness such as tuberculosis and leprosy, grants for blood transfusion, college education for meritorious students.

Activities Relating to Cooperatives

12.1.23. In all the Steel Plants, Consumers' Co-operative Societies and Cooperative Credit Societies are functioning for the benefit of the workers. The Hindustan Steel Ltd., have Employees' consumers Co-operative Societies besides wholesale Consumers' Cooperative Societies. Financial aid in the form of loans to meet the needs of working capital is provided to all the Consumers' Co-operative Societies in the Steel Plants. The loans given by the Hindustan Steel Limited, are free of interest. Hindustan Steel Limited has also contributed towards the capital of the Cooperative Societies. Besides, it gives *ad hoc* grants in aid to the Societies. The management of the Bhilai Steel Plant subsidises 50% of the expenditure on the salaries of the staff of the cooperative societies. The Jamshedpur Cooperative Store promoted by the Tata Iron and Steel Company Limited has 49 branches in Jamshedpur and undertakes the distribution of all the essential daily requirements of the employees residing in the township. In the Indian Iron and Steel Company Ltd., the Burnpur Cooperative Multipurpose Society Ltd. which is functioning with two branches in Burnpur supplies the essential daily requirements of the employee. Similarly, in the Mysore Iron & Steel Ltd. two consumer cooperative societies are functioning. Cooperative Credit Societies have been organised in some of the steel plants for providing loans on reasonable terms and also to promote the habit of saving amongst the workers. In the Tata Iron and Steel Co., 46 such Societies are functioning. The Credit Society in the Indian Iron & Steel Ltd., provides loans to the members for specific purpose at a reasonable rate of interest. The Mysore Iron & Steel Ltd. has a Retirement-cum-death Benefit Scheme which enables a member to get about Rs. 1,800 by way of retirement benefit after his retirement from the Company. The Tata Steel Charitable Trust advances interest-free loans in deserving cases to the employees for settlement of their debts. In the Hindustan Steel Ltd., festival advance and advances for purchase of conveyance are also given to the workers.

12.1.24. Welfare amenities available to the workers employed in Iron & Steel Industry are of a fairly high order. The Committee notes with satisfaction continuous efforts made in this direction by the managements of this industry, both in private and public sectors. We hope that the standards achieved in this Industry, would have created considerable impact on the living and working conditions of workers in this Industry. We feel that effective utilisation of these amenities by workers and proper administration and maintenance of the services provided by the managements, will go a long way in providing much needed comfort and diversion to the concerned workers.

SUGAR INDUSTRY

Size of the Industry

12.2.1. The Sugar Manufacturing Industry is one of the major organised enterprises in India. The Industry's growth was rapid after it was conferred tariff protection in 1931*. Within five years, the number of factories increased from 31 to 137 and to 488** in the next thirty years. The production too increased substantially. The output in sugar places India third among the major world producers.

Employment and Location of the Industry

12.2.2. The Industry provided employment to 1.37** lakhs workers in 1965. The principal producing State is U.P. with approximately 60 per cent of the factories but accounting for only 48 per cent of employment. Bihar follows with 10 per cent of factories and 17 per cent of employment. Other major producing States are Maharashtra, Andhra Pradesh, Tamil Nadu, Mysore, Punjab, Haryana and Madhya Pradesh.

Salient Features of Sugar Industry

12.2.3. The Sugar Industry is seasonal in nature. The duration of working season varies from area to area and depends upon the availability of sugarcane. Only a small number of workers is, therefore, employed on permanent basis. The rest are seasonal or temporary. To temporary or seasonal labour, work is given taking into account their previous employment. The sugar factories are located in rural area and provide seasonal employment to many people of the neighbouring villages. Sugarcane being perishable commodity and bulky in nature, sugar factories have necessarily to be located in or near the sugarcane producing area.

Welfare Facilities

12.2.4. Under the Factories Act, the sugar factories are obliged to provide such welfare amenities as drinking water, first-aid appliances, ambulance rooms, canteens, rest shelters and creches etc. The factual position revealed by the various Committees and Surveys which looked into the working conditions of workers in the Industry have given detailed information on various amenities of the labour welfare. A brief analysis of such information amenity-wise is given in the following paragraphs.

Canteens

12.2.5. According to the Labour Investigation Committee (1944), though the canteens were not normally provided, facilities for serving tea and light refreshment did exist in the neighbourhood of all factories visited by them. The arrangements were found to be unsatisfactory from the point of view of price and hygienic conditions. Subsequently, under the Factories Act, 1948, the State Governments were empowered to frame rules requiring that in any specified factory, wherein more than 250 workers are employed, a canteen of prescribed standard should be provided. The Survey of Labour Conditions in Sugar Factories (1962) reflects the impact of legislation. The Survey showed that in Bihar and Maharashtra all the factories required to maintain canteens had done so.

*The Report of the Central Wage Board for the Sugar Industry.

**Indian Labour Statistics, 1968.

12.2.6. In U.P. and South India, the proportion of factories which had provided canteen facilities was about 72 and 87 per cent respectively. Every three, out of five canteens, served meals while the rest had made arrangements for the sale of tea, coffee, snacks etc. The survey further showed that about 65 per cent of the canteens were being run by the contractors, a fact which was affirmed by those who also appeared before the Committee. While certain facilities have been provided on satisfactory scale by some managements, there seems to be scope for considerable improvement in the rest of the Industry.

Housing Facilities

12.2.7. Regarding housing facilities, the Labour Investigation Committee (1944) simply mentioned that most of the houses provided by the factories were one room tenements with very poor standard of amenities. The housing of seasonal workers was stated to be deplorable as thatched huts meant for them provided very poor shelter. Subsequently, in the course of Survey of Labour Conditions (1962) it was found that about 65% of the sugar factories in the country had provided

housing accommodation to their employees, though the proportion of workers housed differed from factory to factory. Of the factories providing housing facilities, about 50% charged rent from all the employees to whom housing accommodation had been provided, nearly 31% did not charge any rent while in the rest only some categories of workers enjoyed rent free accommodation. Rent, wherever charged, was usually according to the rates recommended by the Central Wage Board for Sugar Industry. On the basis of the Survey it was estimated that out of the total number of about 1.54 lakh workers, only about 55 thousand had been provided houses by the employers as on 1st January, 1962.

12.2.8. The Housing Survey conducted in the sugar factories by Government of Bihar during 1963-64, revealed that there were 4,684 quarters constructed by sugar factories, of which 3,374 were single room tenements. The results of survey showed that these were occupied by 8,514 workers during the season.

12.2.9. The Table below gives the position regarding quarters available to the workers of sugar factories in Uttar Pradesh :

TABLE

Housing accommodation available to the workers in U. P.

	One Roomed	Two Roomed	Three or more Roomed	Total	Percentage
1	2	3	4	5	6
1. No. of quarters built under sugar Housing Scheme	707	789	6	1,502	10.1
2. No. of quarters built under other housing schemes	9,666	2,658	1,050	13,374	89.9
TOTAL	10,373	3,447	1,056	14,876	100.0
Percentage of the quarters constructed	69.7	23.2	7.1	100	

Source : Report of the NCL Study Group for Sugar Industry—Appendix VII.

It may be seen from the above table that one-roomed quarters formed 69.7% of the total quarters constructed.

12.2.10. In 1961, the sugar factories of Maharashtra provided housing accommodation to about 19% of total workers. The percentage of workers housed to the total workers worked out to 26.41% in private sector, and 10.23% in the cooperative sector.

12.2.11. The workers' representative made out a point before the Committee that the sugar industry workers were facing acute shortage of housing accommodation. The fund which was created by the U.P. Government for construction of houses primarily has been exhausted. The Committee learns that the U.P. Government is now reviving this fund. It is hoped that with revival of this fund shortage of houses will be eased.

Medical Facilities

12.2.12. It was observed by Labour Investigation Committee (1944) that all the factories visited by them had provided dispensaries. In such

dispensaries, free medical care was given to the employees and their family members. In the course of Survey of Labour Conditions in sugar factories (1962), it was found that nearly 63% of the factories in the country were running dispensaries or hospitals. In addition to this, workers in two small factories in U.P. could get medical treatment from the nearest available doctors, expenses for which were re-imbursed by the management.

12.2.13. As the sugar factories are generally located in the rural areas, the medical facilities available to the employees do not compare favourably with those available to the employees in the urban areas. Moreover, it has not been possible to cover the sugar industry workers under the Employees' State Insurance Scheme as the sugar factories are seasonal and these are not situated in a contiguous area. The paucity of medical staff also makes the extension of scope of Employees' State Insurance Scheme difficult. If it is not possible for the Government to cover the sugar industry workers under the E.S.I. Scheme due to the reasons stated above, the proposed welfare fund which has been dealt with somewhere else may be constituted

with a view to providing adequate medical facilities for the workers. This scheme may be administered by the proposed welfare boards till E.S.I. takes over.

Educational Facilities

12.2.14. The Labour Investigation Committee (1944) observed that educational facilities existed in a number of sugar factories in the country. The Survey of Labour Conditions (1962) revealed that educational facilities existed in nearly one third of the sugar factories (mostly in Maharashtra and Bihar). Generally speaking, large factories provided educational facilities and they did not charge any fee from the students attending the schools.

12.2.15. We feel that the concerned State Governments may give adequate subsidy to the employers who provide sufficient educational facilities for the benefit of the workers' children. We also recommend that the Government should give adequate subsidies to the employers who are willing to provide these facilities.

Recreational Facilities

12.2.16. The Survey of Labour Conditions in sugar factories, conducted by the Labour Bureau, showed that 56% of the factories in the country provided some recreational facilities. The cost of existing welfare facilities was generally met either by management or from the welfare funds of the unit. We feel that there is a need for providing some recreational facilities to the employees of sugar factories on a regular and sustained basis.

Fair Price Shops

12.2.17. Fair Price Shops have not been opened by the managements in a large majority of sugar factories. It is true that the sugar factories are mostly located in the rural areas and the State Governments provide food rations to the rural population at lower rates than that provided to the urban population. In spite of all this, regular supplies of food rations are often not received in the rural areas. Moreover, in respect of items other than food rations, the sugar factory workers have to depend on rural markets. Thus there is the need to have Fair Price Shops for sugar factory workers also. It is learnt that in the State of Tamil Nadu, as per directions of the State Government, the factories are required to help in the formation of Consumers' Co-operative Societies and provide several kinds of assistance. This is a welcome measure. The Committee feels that other State Governments may also proceed on these lines.

Co-operative Credit Societies and Saving Facilities

12.2.18. The survey of Labour Conditions revealed that credit societies were functioning in about 15% of the sugar factories in the country, comprising all sampled factories in Maharashtra, about 10% in Southern India and nearly 7% in U.P.

Welfare Funds for Sugar Industry in Uttar Pradesh

12.2.19. For the benefit of workers employed in sugar factories in U.P., the State Government passed an enactment known as U.P. Sugar and Power Alcohol Industry Labour Welfare and Development

Fund Act, 1950. This Fund† is constituted mainly from the sum which the State Government has acquired or may acquire by realising from the sugar factories—the difference between the sale price of molasses (fixed by the Government for the purposes of supply of power alcohol factories and open sale price of molasses) sold for other purposes. The fund consists of three separate accounts i.e., (a) housing account, (b) general welfare account, and (c) development account. 98% of the fund is credited to housing account and one per cent each to two other accounts. The existing allocations between the three different accounts, the Committee feels, should be rationalised so that the funds may be available for other amenities also.

Holiday Home at Mussoorie

12.2.20. From the general welfare account of the above fund, a holiday home has been set up at Mussoorie. The holiday home is exclusively meant for workers employed in sugar factories. The present practice in case of sugar factory worker is that unions select such workers as can be spared by the employers to be sent to the holiday home. The employers pay to each worker a sum of Rs. 101 to meet rail fare and other charges and the worker pays only Rs. 1.50 per day during his/her stay in the holiday home. This Holiday Home was also visited by the Committee and discussions were held with a batch of 20 workers who were then staying in the Holiday Home. The workers drawn from different factories of the State were very appreciative of the facility of holiday home. They stated that such amenities go a long way in creating better understanding between employers and workers and also provide necessary forum to the workers to discuss various matters including that of enhancing production.

12.2.21. The discussions with the workers convinced us that there could be no two opinions about the many-sided utility of such holiday homes for industrial workers. We earnestly hope that useful efforts in this direction already being made by the State of U.P. would be continued and intensified. We also hope that other States and industries will emulate this practice.

COTTON TEXTILE INDUSTRY

Importance of the Industry

12.3.1. The Indian cotton textile industry is more than a century old. The first textile mill was started in Bombay in 1851. Since then the industry has had a steady growth. The progress of the industry in India since 1900 is given in the following table¹:

TABLE I

Year	No. of mills	No. of spindles	No. of looms
1900	193	49,45,783	40,124
1920	253	67,63,076	1,19,012
1940	388	1,00,05,785	2,00,076
1960*	479	1,35,50,000	2,00,000
1968*	635	1,70,85,000	2,08,000

†The Indian Labour Year Book, 1965—p. 259.

¹. Report of the Central Wage Board for Cotton Textile Industry—p. 5.

*Indian Textile Bulletin, April, 1968.

12.3.2. It is evident from the above table that the number of mills rose from 193 with 49.45 lakh spindles and 0.40 lakh looms in 1900 to 635 with 170.85 lakh spindles and 2.08 lakh looms in 1968.

12.3.3. The importance of the industry in the national economy can also be seen in terms of its output and employment over a period of years from the table :^a

TABLE II

Year	Average number of persons (in thousand) on the book of mills including general staff and badlies			Cloth production in in million metres	
	Men	Women	Total	Cotton	Staple Fibre.
1962	874	55	929	4,560	2.5
1963	885	53	938	4,423	3.2
1964	917	53	970	4,654	2.7
1965	916	51	967	4,587	3.8
1966	884	47	931	4,239	12.6

12.3.4. It is one of the foreign exchange earning industries of the country. The export of mill-made cloth in 1968 was approximately 4243.3 lakh metres valued at Rs. 49.14 crores.

12.3.5. A number of committees and commissions have been appointed by the Government of India to review the problems of the textile industry, including working conditions and other aspects related to labour welfare. Among, these, the Royal Commission on Labour, the Labour Investigation Committee, the Textile Labour Inquiry Committee, Bombay, Rajasthan Cotton Textile Labour Enquiry Committee, have made certain observations on labour welfare in their reports. The observations of these bodies along with surveys conducted by Labour Bureau, Simla, have been given at appropriate places in this Chapter.

Working conditions including drinking water, conservancy and First-aid etc.

12.3.6. The Royal Commission on Labour observed that latrine accommodation was not always adequate and its quality also left much to be desired. Regarding the maintenance of first-aid appliances, the Commission observed that the practice was by no means generally enforced even in the larger factories. The Bombay Textile Labour Inquiry Committee in 1940 reported that in several mills the sanitary conditions were bad and the accommodation seemed inadequate. The Labour Investigation Committee (1944-46) also had similar views on the subject. The Report of the Survey of Labour Conditions also showed that in the country as a whole satisfactory arrangements existed in only about 58% of the factories. Regarding the provision of drinking water, the survey shows that all the factories, excepting few in Bombay city and its suburbs, Howrah and Calcutta, had complied with the law and had made arrangements for the supply of drinking water to their employees. It is observed that these factories, which had no arrangements at all, were invariably small establishments.

12.3.7. The replies to the Committee's questionnaire, show that satisfactory progress has been made in this regard by the textile industry. All the reporting units to the Committee's questionnaire have stated that they were providing drinking water at the work-place and arrangements for conservancy as well as first-aid appliances existed in the units.

12.3.8. Regarding working conditions, including sanitation etc. conditions in cotton mills differ from centre to centre and within the same centre from unit to unit. Moreover the cotton mills may be divided into two broad categories, the old and the comparatively new. The conditions in older establishments are not as satisfactory as the conditions in newly constructed establishments in which the lay-out is up-to-date. In recent years, air conditioning plants have been installed in an increasing number of mills, particularly in Bombay and Ahmedabad. Some mills in Bombay and Ahmedabad have also installed vacuum stripping plants for recovering cotton dust. This has also been borne out by the observation visits made by the Committee during its tours to various States. The Committee visited a few automatic modern cotton plants in some States and found that working conditions, including sanitation, space, ventilation etc. were satisfactory as compared to older mills where there was lot of over crowding and congestion.

Canteens

12.3.9. According to the report of Survey of Labour Conditions in textile industry (1960-61), 30 per cent of the cotton textile factories in the country employed more than 250 workers. Of these nearly 88% of the establishments provided canteens. About 36% of the factories having canteens had arrangements for serving meals and in the rest only snacks, tea etc. were being sold. The items were being sold at subsidised rates in about one-third of the canteens and in almost an equal number of canteens at no profit no loss basis. In the rest market price was being charged. Regard-

2. Source.—Indian Textile Bulletin issued by Textile Commissioner, Government of India, Ministry of Commerce, Bombay.

ing agencies running the canteens the data showed that in about 55 per cent of the factories, the canteens were being run directly by managements, in 26 per cent by contractors and in 16 per cent by workers' cooperatives. The rest were being run jointly by workers and managements. The Survey further revealed that wherever canteens were being run by the managements, these were quite good and quite a few maintained a fairly high standard. The replies to Committee's questionnaire received from the individual cotton mill as well as from the employers' organisations revealed that the mills which were required to provide canteens under the law were complying with the provisions. It is also brought out from the replies that some canteens in the Bombay region supplied hot meals to the employees at subsidised rates. The credit facilities were in vogue in some of the canteens and the facility of serving tea and snacks at work-place was prevalent in some of the units.

Creches

12.3.10. The Royal Commission on Labour was the first to note in its report that in the cotton mills of Bombay presidency, creches had been more extensively introduced than elsewhere. The Labour Investigation Committee observed that although in some cases high standard was being maintained, generally this was an activity which was very much neglected even by mills employing a substantial number of women workers. A similar view was expressed by the Textile Labour Inquiry Committee, Bombay. The Committee remarked: "Some of the best are in charge of matrons assisted by a staff of trained nurses and 'ayahs' and are inspected by the mill doctors. In some creches, provision is also made for a free supply of toys suitable for small children. At the other extreme we saw several creches housed in dirty tins sheds or in portions of hot and stuffy godowns. There was little or no provision for the supply of milk and clothing".

12.3.11. The Rajasthan Cotton Textile Labour Enquiry Committee in 1956 also stated that the creche facility was being provided in all the mills employing more than 50 women workers except a few smaller units. The children attending the creches were being supplied with free milk and biscuits and clean clothing etc.

12.3.12. According to the Survey of Labour Conditions conducted by Labour Bureau, Simla, in 1962 about 86 per cent of the factories which were required to provide a creche, had done so. Regarding the functioning and maintenance of creches the survey observed "By and large creches were found to be of good standard. Creche buildings conformed to the prescribed standard and had good ventilation and were all lighted. Most of them were well equipped and had enough staff. In a few cases creches were under the charge of a lady doctor of the mill who visited creche regularly and besides supervising the maintenance of the creche, rendered medical aid to children. However, in contrast to such arrangements quite a number of factories maintained creches only to meet their legal obligation. They had simply set aside a room for this purpose and had not provided any equipment except a few cradles. In many cases location of the creches was found to be unsatisfactory".

12.3.13. The replies received from the individual industrial units indicate that wherever more than 50 women are employed the unit has provided the creche facilities for the benefit of the children of women workers. The reporting units have also stated that they are providing milk and refreshment to the children attending the creche.

Fair Price Shops and Co-operative Societies

12.3.14. The provision of cooperative stores/fair price shops is not a statutory obligation on the employers. The data collected during the survey of Labour Conditions show that nearly one-fifth of the factories in cotton textile industry had cooperative societies of various types, the predominant being credit societies.

12.3.15. The replies received by the Committee reveal that almost all the reporting units, excepting a few, are running fair price shops/cooperative stores for the benefit of their workers. These stores/fair price shops are selling both rationed as well as non-rationed commodities—such as wheat, rice, sugar, edible oils, pulses, tea, washing soaps, etc. The rates charged are generally lower than the market prices and some establishments are running these stores on no-profit-no-loss basis. Credit facilities are also available to workers in certain mills and the amount is deducted from their wages at the end of the month.

12.3.16. The study group on textiles constituted by the National Commission on Labour in its report has stated that the textile industry can claim the credit for having the maximum number of co-operative stores for the benefit of their workmen, particularly in Southern India where a very large percentage of establishments employing over 300 workers have maintained cooperative stores and these stores are functioning satisfactorily.

Medical and Health Facilities and Family Planning

12.3.17. The Bombay Textile Labour Inquiry Committee in 1940 stated that during its tours they saw the dispensaries at all the mills they visited but the standards adopted for the maintenance of these dispensaries varied widely. They also visited the hospitals maintained by the Textile Labour Association, Ahmedabad and remarked that they were much impressed by the work which the Association had been doing in this field.

12.3.18. Later on the Labour Investigation Committee (1944-46) observed that most units had dispensaries attached to them, although these were not always in charge of qualified whole time doctors. The Committee further observed that on the whole most cotton mill workers could if they desired avail themselves of free medical treatment and that some enlightened employers in Madras and Ahmedabad had built hospitals for their workers.

12.3.19. In 1953 the Labour Bureau of the Government of India conducted a special survey to collect the information relating to labour conditions in the cotton textile industry. The data collected in the course of the survey showed that the large cotton mills in the country had provided dispensaries under the charge of qualified doctors. Some mills had well equipped hospitals as well. Several mills had provided separate maternity homes or wards for the benefit of women workers.

12.3.20. The Rajasthan cotton textile Labour Enquiry Committee in its report in 1956 also observed that all cotton textile units in Rajasthan except the smaller ones had provided dispensaries for the workers with a full time doctor and compounder and free medical facilities were being provided to the workers and their families.

12.3.21. The results of the Survey of Labour Conditions (1960-61) show that out of the factories employing more than 500 workers only 44 per cent of them had ambulance rooms. It further appears from the Survey that 17% of the factories maintained dispensaries in the country as a whole and about 4% had a contact with some local doctors for rendering medical assistance to their employees.

12.3.22. The replies received by the Committee from the individual cotton mills indicate that generally the workers employed in cotton mills are covered by the E.S.I. Scheme, but the larger units are also maintaining dispensaries or ambulance rooms. These facilities should also be made available to such workers as are not covered under the E.S.I. Scheme.

12.3.23. The position in regard to the family planning programme appears to be quite encouraging. From the replies received by the Committee it appears that a number of mills are having family planning centres and are paying cash awards for workers undergoing sterilization and for I.U.C.D. insertions. Apart from cash rewards some of the reporting units are also supplying contraceptives to the workers either free of charge or at subsidised rates and they are also granting leave with wages for the sterilization operation. It has been reported in oral evidence before this Committee that the Mill Owners' Association Bombay, has set up a family planning sub-committee which lays down the policy in regard to ways and means of carrying out the family planning programme. The decisions taken by the Sub-Committee on family planning are implemented through the Implementation Committee.

12.3.24. The Committee notes with satisfaction the efforts made by the industry in the field of family planning services and feels that the existing arrangements should be extended to more and more workers in the industry.

Recreational Facilities

12.3.25. According to the findings of the Survey of Labour Conditions about 38 per cent of the factories had made some recreational arrangements, the nature of which varied from well organised clubs to occasional cultural programmes during certain festivals. Some of these clubs were functioning very well and were organising various types of activities such as indoor and outdoor games, annual sports, dramatic performances, libraries etc. The Survey reveals that out of the factories providing recreation facilities, in about 76% the cost was met entirely by the managements, in 16% jointly by workers and managements and in the rest either solely by workers or from fines or welfare funds of the establishment. The employers' organisations like the Mill Owners' Association, Bombay, conducts every year inter-mill sports, tournaments and dramatic competitions.

The replies received by the Committee from individual cotton mills also show that in some of the larger units arrangements exist for recreation for their workers. In some units the facilities are mainly for staff but the workers are also allowed to participate and a nominal membership fee is being charged from the participants. The recreational facilities provided by individual managements, *inter alia*, include indoor and outdoor games, cultural activities like dramas, bhajans and celebration of festivals.

Housing Facilities.

12.3.26. The Royal Commission on Labour was the first to report on housing position in various centres of the cotton textile industry. The Commission observed that 28 of the textile mills in Bombay had provided housing in the form of single room tenements for about 20 per cent of their employees. In Madras, Buckingham and Carnatic mills had provided about 659 houses for about 10% of the workers. In Ahmedabad 35 of the textile mills had provided *chawls** for about 16 per cent of the employees.

12.3.27. The Bombay Textile Labour Inquiry Committee in 1940 observed that 67 Cotton mill employers had built about 12,198 tenements for their workers in different Centres in the Province of Bombay. These tenements comprised of single room as well as double room tenements.

12.3.28. The Labour Investigation Committee (1944-46) while reviewing housing of cotton mill workers in various centres like Bombay, Ahmedabad, Kanpur, Calcutta, Madras and Madurai reported that the employers had provided housing accommodation to a certain percentage of cotton mill workers. The Committee, further observed that the standards, accommodation and rent charged varied from centre to centre.

12.3.29. The Rajasthan Textile Labour Inquiry Committee in 1956 stated that out of a total of 6869 persons employed in the cotton textile industry in the State of Rajasthan, 2296 or about 34 per cent were housed by the employers and the rest had to make their own arrangements for housing. The rent charged for these tenements vary from Re. 1/- to Rs. 6/- per month.

12.3.30. The findings of the Survey of Labour Conditions conducted by Labour Bureau, Simla, show that during 1960-61 nearly 27 per cent of cotton textile factories had provided houses and 5.9 per cent of the workers in the industry had been housed.

12.3.31. According to the information published in Labour Year Book 1966, about 23 member mills of Bombay Mill Owners' Association have provided 5000 tenements to their workers. These tenements consist of single as well as double rooms. The rent charged is nominal and depends upon the type of accommodation. The rent charged for double room tenements ranges between Rs. 6/- to Rs. 14 per month. In Delhi and Calcutta about 40 per cent of the workers have been provided with housing accommodation. In some of the remaining centres of the industry *viz.*, Gwalior, Nagpur, Kanpur, Madras, Madurai and Bangalore, the em-

*Single-room tenements.

employers have provided housing colonies comprising self-contained units for some of their workers.

In addition to employers' voluntary efforts in recent years, more houses have been built under the Subsidised Industrial Housing Scheme by State Governments and workers' co-operative societies.

Educational Facilities

12.3.32. The Textile Labour Inquiry Committee in 1940 reported that out of 58 mills in Bombay, 22 had made provision for either primary or technical education of workers or their children.

12.3.33. The Rajasthan Cotton Textile Labour Inquiry Committee 1956 stated that a few cotton mills were running primary schools for the educational facilities of the workers children. The Survey on Labour Conditions in 1960-61 revealed that nearly 7 per cent of factories were running schools for the benefit of workers' children. In some of the schools the managements did not charge any fee and supplied books etc. also free to students. The replies received by this Committee from individual cotton mills show that the larger industrial units were running primary or middle schools for the benefit of the children of their workers. In a few units the children attending the schools were being provided with accessories like books, stationery and pencils either free of charge or at subsidised rates. In some cases even degree and post-graduate level educational institutions have been provided in the township built by the employers. The Mill Owners' Association, Bombay and the Ahmedabad Mill Owners' Association have stated that they are extending cooperation by giving grants to schools and also provide free or subsidised reading material to the children of the workers. The Committee feels that the employers in cooperation with State Governments should continue their efforts in providing more educational facilities to the workers and their children wherever possible.

Transport Facilities

12.3.34. The findings of the Survey on Labour Conditions show that only about 6 per cent of the factories in Bombay City and its suburbs, 11 per cent in Howrah and Calcutta and nearly 8 per cent in Madurai and Ramanathapuram were providing transport facility to their workers.

12.3.35. It appears from the replies received by the Committee that none of the reporting units had made any arrangements for the transport of the workers. However, some of the reporting mills provide roofed cycle sheds for parking workers' vehicles free of charge.

Distress Relief and Cash Benefits

12.3.36. From the replies received by the Committee it appears that in some units the practice of granting festival advance existed. In few mills grants are given in cases like death, injury, etc. A limited number of mills had funds such as Death Relief Fund, Welfare Reserve Fund etc., out of which money was being given in case of death, injury or sickness, etc. The full details about distress relief are dealt with elsewhere in this Report.

Gratuity Schemes

12.3.37. The workers employed in this industry have been covered under social security legislation

such as Employees' Provident Fund Act, 1962 and Employees' State Insurance Act, 1948. Apart from this gratuity schemes are also prevalent in textile mills, for example in Bombay, Ahmedabad and Madras regions, gratuity schemes were implemented as early as in the 1950s. Generally for service over 15 years, a month's basic wages is paid for each year of service. However, the rate of gratuity is not uniform and the second textile Wage Board has been called upon to consider the introduction of a gratuity scheme on an all-India basis.

Welfare Work by Workers' Organisations

12.3.38. Apart from the efforts made by the managements and employers' organisations in the field of welfare amenities statutory or otherwise the workers' organisations have also contributed their share. The Textile Labour Association, Ahmedabad, has been organising a number of educational, social and cultural activities for the benefit of its members. The main activities of the Association, *inter alia*, include medical facilities, reading rooms and libraries, primary schools, vocational training in sewing, knitting, embroidery and other home industries for women workers, cultural centres providing indoor and outdoor games, etc.

12.3.39. The review of various welfare facilities in the foregoing pages reveals that the quantum and standard of welfare amenities vary from centre to centre and from unit to unit within the same centre. While some cotton mills have not gone beyond what is prescribed under the law, others have undertaken welfare activities on an intensive scale and provided facilities such as co-operative credit societies, family planning centres, etc.

12.3.40. The Committee feels that such voluntary efforts should be encouraged and the industry should continue to make efforts to provide welfare amenities to all the workers.

JUTE TEXTILE INDUSTRY

Introduction

12.4.1. One of the oldest organised industry in the country, it provides employment to about two lakh workers. It is mostly concentrated in West Bengal with as many as 83 of the 95 mills in the entire country being located in that State. Andhra Pradesh has 4 mills, Bihar and Uttar Pradesh have 3 mills each, Assam has only one jute mill, so is the case in Madhya Pradesh. The industry is largely concentrated in West Bengal, due to availability of raw material and port facilities.

Observations of the Royal Commission on Labour and Labour Investigation Committee on Welfare Amenities in Jute Mills

12.4.2. The Royal Commission on Labour had made a casual reference to welfare amenities in jute industry. The Labour Investigation Committee studied the matter in some detail. The Committee stated that adequate number of latrines and urinals had been provided in jute factories, though they were sub-standard. A few jute mills have provided canteens. Wherever such canteens were functioning, only light refreshment and tea were served therein. The creches had been provided in some of the mills. The Committee highlighted the need for providing these creches and observed thus

"There appears to be a great need for starting creches in other mills, as women are employed to a considerable extent. Cases have been reported of mothers doping their babies to keep them quiet during the time of their work".¹

The Labour Investigation Committee commended the efforts of some of the managements for taking initiative to provide educational facilities to the children of their workers. Some of the jute mills were said to have established some schools and some others were giving donations to schools in the neighbourhood for the benefit of the workers' children. A large majority of the mills had, however, not done anything in this field. Some attention had been paid to medical facilities though they were generally not of good standards. Considerable work had been done for providing housing accommodation to the workers. 30% to 40% of the workers had been provided with houses at the time of the enquiries made by the Labour Investigation Committee.

Post Independence Developments in Labour Welfare

12.4.3. Two important surveys have been conducted to review the welfare amenities available to workers employed in jute industry. One was conducted by the Government of West Bengal, 1951, followed by another conducted by Labour Bureau, Simla, in 1961. The survey conducted by the Government of West Bengal covered welfare amenities like recreation, education, medical aid, creches, canteens, saving schemes and housing. It revealed that the Indian Jute Mills Association had organised five labour welfare centres. These centres provided indoor and outdoor recreational facilities for workers over and above what the mills themselves had provided as part of their welfare amenities. Considerable attention had been paid to recreation; 61 out of the 88 mills surveyed, had provided facilities for outdoor games, like foot-ball, hockey, volley-ball, basket-ball etc. A sizeable number of the units had also provided facilities for indoor games. Even cinema shows were being arranged by the units for the benefit of the workers. In the field of education too, 63 of the 88 mills had provided schools for the education of the workers' children. No tuition fee was charged in most of the schools. Some of the mills had even organised periodical lectures for workers' education as well. Adult education too could not escape their attention and some mills had established even night schools for their workers.

12.4.4. Considerable progress had been made for providing houses to the workers. Different categories of workers were provided with tenements of different sizes ranging from one living room to 4 living rooms. Some of them had had even more than 4 rooms. Facilities like water supply, electricity and other sanitary arrangements were, however, not satisfactory.²

12.4.5. The Survey revealed that the arrangements for medical assistance were commendable. 72 of the 88 mills had got system of medical assistance for the workers; some of them were providing medical aid to workers' families as well.

12.4.6. All the jute factories were covered under the Factories Act, 1948. 65 of the 88 mills had provided creche facilities; creches were well equipped and were looked after by trained nurses. 77 mills had provided subsidised canteen facilities. All the canteens, however, supplied tea and snacks only. Other statutory obligations namely provision of first aid, maintenance of adequate urinals and latrines etc., maintenance of ambulance rooms, wherever required were also observed.

12.4.7. The survey conducted by the Labour Bureau in 1961 also shows a good deal of awareness on the part of employers in the matter of providing welfare amenities to their workers and their children in the field of education, recreation, housing and medical-aid. About 79 per cent of the mills had started schools for the workers' children. Such of the mills as had not established their own schools were paying subsidy to schools run by outsiders. Fairly large number of mills had provided both indoor and outdoor games. Cultural programmes used to be arranged and necessary encouragement was given to workers belonging to different religions to organise their own functions. In the field of housing accommodation, the results of the survey were very encouraging. Nearly 94 per cent of the jute mills had provided some measure of housing accommodation to their employees. The survey shows that 29 per cent of the workers in the entire industry have been provided with houses. Accommodation provided was mostly free; wherever rent was charged, it was only nominal. The medical facilities provided too were satisfactory. 80 per cent of the mills had dispensaries/hospitals attached to them. About 68 per cent of the units providing medical facilities had appointed full time doctors and the rest had made arrangements to obtain part time medical advice and treatment. These facilities were, over and above, the obligation cast on employers under the Employees' State Insurance Scheme.

12.4.8. The statutory obligation under the Factories Act in the matters of drinking water, conservancy and first-aid, canteen and creche too was satisfactory. 91 per cent of the units employing women workers had built separate urinals as required under the Act. Observance of the provisions with regard to the maintenance of the first-aid boxes was not upto the mark, perhaps due to the fact that 80 per cent of the units had attached dispensaries/hospitals. As for canteens, all the jute mills in West Bengal and about 98 per cent in the rest of the country provided canteens though majority of these canteens served only tea, coffee and snacks. The most important feature about these canteens was that most of them were being run departmentally and about 21 per cent by contractors. About 96 per cent of those mills which were required to provide creches had provided them but only half of them were maintaining the creches satisfactorily.

12.4.9. The present position of the availability of welfare amenities to workers employed in jute industry has been provided to the Committee by the Indian Jute Mills Association—both in writing as well as during the course of evidence tendered by its chairman before the Committee in Calcutta. The Committee has not had the benefit of the views of workers' unions operating in jute industry.

¹. Report of the Labour Investigation Committee—pp. 355-56.

². Pages 15-16 of the Report on 'Employment Earnings and Welfare of Labour in Jute Textile Industry—West Bengal, 1951-56' published by the Deptt. of Labour, Government of West Bengal.

12.4.10. The information provided by the Indian Jute Mills Association with regard to the welfare amenities and the interest taken by them is in keeping with the trends generated earlier and proved by the two surveys referred to in the preceding paragraphs.

CEMENT INDUSTRY

Introduction

12.5.1. Cement industry has become one of the key industries in the country after independence. Plans for economic development have given further impetus to this industry. In 1966, the number of cement factories in India was 42*, with an average daily employment of 29,000* and annual production of 10.80† million tonnes.

12.5.2. All the cement factories in the country are covered under the Factories Act, 1948. The working conditions in this industry have been studied by the Labour Investigation Committee (1944), Central Tripartite (Technical) Committee (1956) besides Survey of Labour Conditions conducted by the Labour Bureau, Simla. A characteristic feature of the employment in the cement industry is the employment of labour on contract basis which is widely prevalent in some operations like loading and unloading of cement and raw materials, etc., affixing stamps on cement bags and preparation of wire ties for the bags. The findings of these Committees/Surveys are mentioned in brief, in the following paragraphs.

12.5.3. Commenting on the organisation of welfare activities for the workers in the cement industry, the Labour Investigation Committee (1944) stated that the cement industry could be regarded as being well in advance of others. The working conditions like lighting, ventilation, supply of water and sanitation inside the factories were stated to be satisfactory. Housing was provided to nearly 31.5 per cent of the total labour force. Most of the units had well-equipped hospitals for providing free medical facilities to workers and their families. Canteens were provided by some factories. Cheap grain shops, provision of clubs with indoor games, etc. large playing fields and educational facilities for the children of the workers were provided by most of the factories. Some factories had even provided swimming pools. The Committee also observed that Provident Fund and Gratuity schemes existed in most of the units. The membership of Provident Fund was, however, restricted to workers above certain income limits only. This had left a majority of employees outside the purview of the Provident Fund Scheme. In addition to these two schemes, a Benefit Fund for relieving distress among the workers in the factories of the Associated Cement Company was also in vogue.¹

12.5.4. The sample survey carried out by the Central Tripartite (Technical) Committee, set up by the Government of India in 1956, and the Survey of Labour Conditions in Cement Factories in India conducted by Labour Bureau in 1961-62 revealed that the working conditions and provision of welfare facilities to workers in cement factories were satisfactory. The Survey of Labour Conditions

indicated that 80 per cent of the large cement factories were employing contract labour and the magnitude and quality of medical facilities available to them were the same as to the labour engaged directly. Nearly 85 per cent of the cement factories had Provident Fund schemes for their employees and Gratuity schemes were in force in about 62 per cent of them although Pension scheme was altogether non-existent. Facility for adult education was not provided in any of the units.

12.5.5. The findings of the Central Tripartite (Technical) Committee revealed that six, out of the eight factories surveyed, had employed welfare officers. The Survey of Labour Bureau also indicated that although only 56 per cent of the factories were under legal compulsion to appoint labour/welfare officers, in fact 85 per cent of the units had appointed such officers. Works or Joint Committees, the Survey revealed, were existing in only about half of the factories legally bound to set up such Committees.

Canteen

12.5.6. Replies received in response to the questionnaire of the Committee, visits paid by the Committee and oral evidence tendered before it reveal that canteens exist in all the cement factories. Meals, snacks, coffee and tea are served to workers in these canteens. In some factories canteens are run by employees' cooperative societies while in others, these are run and financed by the managements themselves. Items are either sold on subsidised rates or at no-profit-no-loss basis. Some factories maintain kiosks and also trolleys for service inside the workplace. It has been represented by one of the workers' organisations that canteen facilities should be provided to all the workers in all shifts; it was stated that these facilities were available to workers only in the day shift.

12.5.7. The Committee feels that, by and large, the canteen facility in the cement factories is satisfactory. It is, however, considered desirable that as far as possible the canteen facilities should be extended to workers in all the shifts.

Creches

12.5.8. The Survey of Labour Conditions conducted in 1961-62 revealed that the employment of women was generally confined to such operations as loading and unloading, carrying coal and dust, bag stitching, etc. These operations were generally carried out through contract labour. The Survey further revealed that even a few of those units which were under no obligation to provide a creche had made this facility available to their workers.

12.5.9. The information gathered by the Committee indicates that cement factories have provided creche facilities wherever 50 or more women workers are employed. It also notes with satisfaction that in some factories, though the number of women workers is smaller, the managements have extended these facilities. In some other cases the creche facilities provided by the managements have been made available to the women workers employed by the contractors also. The Committee

Source.—* Indian Labour Statistics, 1968, page 35.

†Fourth Five Year Plan—A draft outline page 421.

¹. Labour Investigation Committee Report on an Enquiry into Conditions of Labour in the Cement Industry in India—pp. 50-51.

feels that contract labour is a characteristic feature of the industry, the contractors must maintain creche for their women workers and if they do not do it, it should be the responsibility of the main employer to get it done. Wherever creche is run by the management, there should be no objection to the contractors utilising these creche facilities by mutual arrangements.

Co-operative Stores/Fair Price Shops

12.5.10. Essential consumer goods and food articles are now made available to workers of cement factories through cooperative stores or through fair price shops run by managements. In some cases managements have also provided subsidy to the co-operative stores in the form of buildings, furniture, electricity, etc. The fair price shop/cooperative store is an important welfare amenity. We understand that there are a few factories where such facilities do not exist. The committee recommends that the managements should encourage early establishment of fair price shops/cooperative stores by providing facilities like building, furniture, electricity, etc.

Other Facilities (Drinking Water, Conservancy and First-aid, etc.)

12.5.11. The sanitation and drinking water facilities at the place of work are generally satisfactory. Some workers' organisations have, however, pointed out inadequacy of clean drinking water and unsatisfactory condition of sanitation in respect of a few factories. Looking to the high standard which the cement industry maintains in providing these facilities, the Committee hopes that the few units which do not come up to the same standard in respect of drinking water, conservancy, first-aid, etc. will also do so.

Transport Facilities

12.5.12. Adequate arrangements for parking of workers' vehicles and also looking after their safety have not been made in all the factories. The modes of transport are cycle and public transport. Some factories have provided transport facility to their employees. In a few cases this facility is provided free of charge while in some units the charges are lower than those charged by public transport. Some companies also give interest free loans to workers who are desirous of purchasing cycles. No conveyance allowance is being paid by any of these factories. The Committee has considered elsewhere all aspects of transport facilities to industrial workers. The need for transport facilities for workers in this industry is not considered in any way different than for the industrial workers as a whole.

Medical & Health Facilities and Family Planning

12.5.13. The workers in the cement industry in most of the cases are covered under the Employees' State Insurance Scheme and get all benefits under it. Some factories which were providing medical facilities to their workers earlier, have not withdrawn such facilities and the workers enjoy the benefits of the Employees' State Insurance Scheme and the medical facilities provided by the management direct. Adequate medical facilities seem to have been provided by these units to those workers who are not covered under the Employees' State Insurance Scheme.

12.5.14. In its memorandum to the Committee, a workers' organisation has stated that due to dusty

processes in the cement factories, workers are affected by the diseases of lungs and skin. Arrangements to investigate and treat the occupational diseases exist in a few units. It is desirable that along with the adequate medical attention that the cement industry pays towards its workers, it should also pay adequate attention to the detection of the incidence of occupational diseases amongst their workers. Adequate arrangements for protection against occupational health hazards are considered essential.

12.5.15. The replies received by the Committee reveal that in most of the factories family planning programmes are being carried out by Government agencies. Managements of some factories give special paid holidays and rewards to workers who undergo vasectomy operations. It is expected that managements and workers' organisations would take active steps to popularise family planning.

Educational Facilities

12.5.16. Educational facilities for children of workers are available upto middle standard in almost all units free of tuition fees. Some of the units have their own high schools as well. Monetary help regarding books, tuition fees, stationery etc. is liberally given. Transport facility for children to go to school has been arranged by some units.

12.5.17. Arrangements for adult education do not exist in most of the cement factories. The Committee considers it essential that workers possess not only a working knowledge of three-R's, but also of some aspects of industrial relations. We, therefore, recommend that due encouragement should be given to adult education by all these factories. We also feel that wherever unit level classes under the Workers' Education Scheme have not yet started, arrangements should be made to have these classes at an early date.

Recreational Facilities

12.5.18. Recreational facilities have been provided in all these factories. The quantum of these facilities, of course, varies from factory to factory. In most of the cases these facilities are solely financed by the companies while in some cases members are required to pay some contribution. Ladies Clubs also exist in some factories. Welfare centres too have been set up by some units for giving encouragement to sports and cultural activities of workers. Excursion tours/sight-seeing trips, special athletic and sports meets are also arranged for the workers in some factories. The Committee notes with satisfaction that due attention is being paid by the cement factories to provide these important welfare facilities.

Housing

12.5.19. Almost all these factories have provided houses to some percentage of their workers. The coverage varies to a considerable extent ranging from 7% to 77%. Nominal rent is charged for houses in some cases. In others housing accommodation is provided free. House rent allowance is paid to such workers as are not provided with accommodation. Maintenance and repairs are arranged by the factory managements. Cooperative house building societies exist in some factories. These societies get loan under Subsidised Industrial Housing Scheme and factory

managements also extend assistance by supplying some material at concessional rates and some free of cost. In a few units contract labour is also offered housing accommodation. Some units provide houses to workers at nominal rent and electricity is being provided free of charge. Co-operative house building societies, however, exist only in some units. **Development of such societies would go a long way in supplementing the efforts of the managements in providing housing accommodation to their workers.**

Distress Relief and Cash Benefits

12.5.20. On this aspect much information is not available. However, a Welfare and Benefit Fund exists in some units. These units grant interest free loans, recoverable in easy instalments, to employees for marriage of their children, repairs to houses, etc. *Ex-gratia* assistance is also given in needy cases for provision of spectacles and dentures, and prolonged illness. Some managements also bear funeral expenses on the death of their workers. Festival advance is also given to workers in some factories.

Sum-up

12.5.21. A review of the foregoing amenities available to workers employed in cement factories indicates that the industry has paid considerable attention to the welfare of workers in various fields. It is perhaps the outcome of twin efforts made both by managements on their own and the collective bargaining made by comparatively well-organised trade unions in this industry. Some of the managements have provided some welfare amenities to contract labour, the number of which is conspicuously high in this industry, but by and large it is not so. **We earnestly hope that managements in cement industry will also gradually bring contract labour within the ambit of a sizeable number of welfare amenities.**

RAILWAYS

Growth of Indian Railways

12.6.1. The first train service was introduced in India in 1853. Since then the Indian Railways have made tremendous progress. During the World War II, there was a rapid development of Indian Railways. With the dawn of Independence

and era of planned economic development, the growth of Indian Railways was further accelerated. The Indian Railways are rich in employment potential which is evident from the fact from 1951, i.e., since the First Five Year Plan was launched, till the end of March, 1967 the number of employees in the Railways rose by about 50%.

12.6.2. The Indian Railways not only play very important role in the national economy of India but also help in ensuring and maintaining her political administrative integration. The contribution of Railways to the defence potential of the country has been very significant. It is the nation's largest single public undertaking. With a capital investment of Rs. 34,630 millions, the Railways represent a very big chunk of invested capital.

12.6.3. The Indian Railways cover about 58,000 route Kilometres. Along with the multiple lines, yards and sidings the total comes to 90,000 Kilometres track. With a regular complement of 13.6 lakhs, the Railways employ a large number of casual workers, as many as 3.10 lakhs of workers were on its rolls in 1966-67. A fleet of about 11,600 locomotives, 33,100 coaching vehicles and 375,500 goods wagons, had run about 10,000 trains daily in 1966-67 to serve nearly 7,000 stations and carry more than 6,000,000 passengers, more than one per cent of the entire Indian population every day. Over 34,000 wagons carried about 552,000 tonnes of goods every day, each tonne being hauled on the average over a distance of 578 Kilometres. The daily gross earnings of Railways amounted to about Rs. 21,000,000 that year.

Welfare Amenities

12.6.4. Housing, medical and educational facilities, cooperative movement, Cooperative Credit Societies and Consumers Cooperative Stores are the major welfare amenities provided by the Railway Administration. In addition to above, a number of holiday-homes and health resorts have been constructed for the use of low paid employees at various hill stations and near the sea. There has been a steady rise in the expenditure on labour welfare between the period 1950-51 and 1965-66 both in absolute quantum as also in per-capita average. The following table* shows the rising trend in expenditure on labour welfare :—

Years	Total No. of staff as on 31st March in thousand	Cost of Staff (in millions of Rs.)	Average cost per employee (in Rs.)	Expenditure on staff welfare (in million of Rs.)	Average expenditure on staff welfare per employee (Rs.)
1950-51	914	1,138	1,263	31.1	34.0
1955-56	1,025	1,482	1,476	50.3	49.1
1960-61	1,157	2,052	1,799	96.8	83.7
1965-66	1,352	3,104	2,331	186.2†	137.7
1966-67	1,361	3,384	2,528	201.1	147.8

*Source : Indian Railways 1966-67, Page 72.

†The expenditure given here relates to ordinary working expenses only. The expenditure for the year 1966-67 including that on works relating to these services is Rs. 373.7 millions.

Housing Facilities

12.6.5. In reply to our questionnaire the Railway Board have stated that a large number of quarters are built and allotted to the staff on the basis of essentiality. At road sides stations most of the staff are housed near the place of work. According to the Railway Board, about 38 per cent employees were provided housing accommodation till June, 1967. The Railway Administration spent a sum of Rs. 44.5 crores on housing by the end of the Third Five Year Plan. A sum of Rs. 32 crores has been provided to be spent on housing in the course of Fourth Five Year Plan.

12.6.6. Cooperative House Building Societies have been given continuous encouragement by the Railways. 22 such Societies were functioning at the end of the year 1966-67, with a membership of 3,376 and paid up capital of Rs. 5,06,213. Though the Railway Administration has been paying attention to the housing needs of its employees, emphasis has been laid on providing houses on a priority basis to essential staff. The overall percentage of housing accommodation to its employees does not correctly reflect the provision of housing to the so-called non-essential category of employees. We, therefore, recommend that subject to availability of funds more attention should be paid to the housing programme for railway employees so that larger number of employees in each category are provided with this important basic need.

12.6.7. The Committee appreciates the efforts made by the Railway Administration in giving impetus to house building on cooperative basis by its employees. The total membership of these Societies is, however, not very significant as compared to the total number of Railway employees. The Committee, therefore, feels that the Administration should make greater efforts to give impetus to the formation of such Societies amongst its employees.

Medical Facilities

12.6.8. During the year 1966-67, the Railways had 91 hospitals situated at different Headquarters/Divisions/District/Sub-Divisions and places having railway workshops on the Zonal Railways, with a bed-strength of 9,159. Even in the past, arrangements existed for comprehensive medical and health care services to the railway employees. The Labour Investigation Committee bears this out that, "Railway workers are much better provided for than workers in other industries. Generally every workshop has a dispensary, staffed with medical licentiate and a compounder and usually catering to all railway employees and their families". Statistics given below highlight the additions to medical facilities provided to the Railway employees since 1951 :—**

Year	No. of hospitals and health units	No. of beds	Cost of medical and health services per capita (Rs.)
1950-51	416	2,435	32.30
1955-56	506	3,390	38.40
1960-61	557	5,944	63.10
1964-65	655	7,813	84.92
1965-66	653	8,355	92.73

*Report on an Enquiry into conditions of Labour in the Engineering and Minerals and Metal Industries in India—Page 138.

**Memorandum on Labour Welfare for the Committee on Labour Welfare prepared by the Department of Labour & Employment, New Delhi—Page 35.

12.6.9. In reply to our questionnaire the Railway Board has stated that special arrangements exist for the treatment of persons suffering from serious ailments and beds are also reserved at selected sanatoria for this purpose. Dentures, spectacles, and artificial limbs are fitted free to low-paid employees—the expenditure is being borne by the Staff Benefit Fund.

12.6.10. Medical facilities are available to all railway employees and their families and such dependents as are eligible for passes. These have further been extended to cover all apprentices (other than Trade Apprentices recruited under the Apprentices Act, 1961) and the staff of the Staff Benefit Fund Committee, Railway Institutes, Consumer Cooperative Societies and Railway Officers' Clubs. Such facilities are also available to the staff of the Cooperative Canteens, Cooperative Credit Societies/Banks, etc. on *per capita* charge basis. Casual workers are entitled to free preventive care only. The Railway Board also provide medical facilities at certain specified places to the retired railway employees and their dependents under the Retired Railway Employees Contributory Health Scheme. The rate of contribution ranges from 50 paise to Rs. 5 according to pay.

12.6.11. In its reply to the questionnaire issued by the Committee, the Southern Railway Employees Sangh, Madras, stated that dentures, spectacles, artificial limbs, etc. are supplied free to such employees only as draw a pay of Rs. 199 per month. These amenities are provided at reduced rates, according to the Sangh, to such persons as are drawing pay of Rs. 200 or above per month. We checked up the correct position from the Railway Administration. According to them this facility is available to all such persons as are drawing a pay of Rs. 300 per month. The Railways have a running scale of Rs. 250-380 for some categories of workers. Employees falling within that range should normally be eligible to receive these benefits free of cost. The Committee feels that free supply of dentures, spectacles and artificial limbs should be extended to all employees drawing pay in the scale of Rs. 250-380 per month by the Managing Committee of the Staff Benefit Fund.

Maternity and Child Welfare

12.6.12. The maternity and child welfare programme has been undertaken at most of the welfare centres in railway colonies. Arrangements for the supply of milk and tonics, children picnic camps, etc. are also made and montessori schools have been opened. The health clinics are functioning to look after the health of mothers and their children.

Family Planning Programme

12.6.13. Programme for Family Planning has been accorded high priority by the Railway Administration as a result of which it has placed its organisational set up on a regular footing during the year 1966-67. Under the new set up 59 Family Planning Centres, 117 units for insertion of intra-uterine contraceptive device (IUCD) are functioning on Railways. Motivation of railway employees since 1966-67 is done through the Exten-

sion Educators & Field workers; conventional contraceptives are supplied free of cost. Centres and special camps for performing sterilisation and I.U.C.D. insertions are organised, cash awards totalling Rs. 11, Rs. 30 and Rs. 40 for I.U.C.D. Vasectomy and tubectomy respectively are provided jointly for making payment to parties for meeting pocket expenses to motivators and doctors as an incentive. The break up of the cash award to each party in case of I.U.C.D., Vasectomy and Tubectomy is as follows:—

Item	Total cash award.	Break-up	
1	2	3	
	Rs.		Rs.
IUCD	11	Parties	5
		Motivators	2
		Doctor	2
		Nurses	1
		Attendants/or (medicine)	1
Vasectomy	30	Parties	18
		Motivators	3
		Doctor	5
		Nurses	1
		Attendants	1
		Medicines	2
Tubectomy	40	Parties	23
		Motivators	5
		Doctor	5
		Nurses	4
		Attendants	1
		Medicines	2

During 1967-68, 29,508 vasectomy operations and 3249 tubectomy operations were performed, 7750 IUCD insertions were made and 958357 contraceptives, 2281 diaphragms, 47903 tubes of jellies and cream and 872118 foam tablets were distributed.

12.6.14. In order to provide some rest to railway employees undergoing sterilisation operation or IUCD insertion, special casual leave to the extent of 6 days in case of vasectomy, 14 days for non-puerperal tubectomy and one day for IUCD insertion is allowed to them.

12.6.15. Although considerable attention has been paid to the medical, Health and Family Planning facilities most of these amenities are concentrated at important stations or where a sizeable number of railway employees live. The Committee feels that it is very essential that gangmen and other similar staff working on the railways lines and at small stations of loop lines are also provided with adequate health and family planning services.

We are also of the opinion that the cash awards at present admissible to the parties, motivators and doctors, for IUCD, Vasectomy and Tubectomy are

very meagre. Keeping in view the national importance of the family planning programme they be suitably increased.

Fair Price Shops/Consumers' Cooperative Societies

12.6.16. By the end of 1966-67 the Railway employees were running 413 Consumers' Cooperative Societies. These Societies had till then opened 428 fair price shops with an annual turnover of Rs. 9 crores. The Railway Board grant to such Consumers' Cooperative Societies which have been in existence for 3 years and open fair price shop section, subsidy to the extent of half of the administration and establishment cost of the fair price shop. Subsidy was granted to 95 societies to the extent of Rs. 2,86,242 during the year 1966-67. This concession is granted for not more than five years from the date of starting the fair price shop. Accommodation is also provided to such societies on payment of a nominal rent of Rs. 20 per annum for the period they run fair price shops. Supply of water and electricity is made at concessional rates. Dues on account of credit sales by the Society are recovered from the salary bills of the railway servants.

Other Cooperatives—Railwaymen's Cooperative Credit Societies & Banks

12.6.17. During the year 1966-67, 26 such societies were functioning with a total membership of 734,098 and paid up share capital of Rs. 698.71 lakhs. The total amount of loan issued during the year 1966-67 was Rs. 2,569.00 lakhs. The rate of interest varied from society to society and ranged between 4½% and 10%. All the societies earned profit during the year 1966-67. The Committee notes with satisfaction the encouragement given to its employees by Railways in the field of their cooperative efforts. We hope that workers will continue striving for bringing into being more cooperative societies and Cooperative Stores run on sound and healthy lines.

Educational Facilities

12.6.18. The Railway Administration is running 745 educational institutions of its own which include two Intermediate Colleges, forty-five Higher Secondary Schools/High Schools, twenty-eight Middle and six hundred and seventy Primary Schools.

12.6.19. Besides, the Railway Administration gives grant-in-aid to a number of non-railway schools for providing educational facilities to the children of railway employees in absence of schools managed by the Railways or the State Governments.

12.6.20. Educational assistance is also given to such railway employees whose pay including running allowance does not exceed Rs. 349 per month and who send their children away from the place of duty for receiving education in the absence of schools of the 'requisite standard' at the station to which they are posted. The assistance is at the rate of Rs. 10 per month per child for primary classes and Rs. 15 per month per child for secondary classes subject to a maximum of Rs. 60 per month to any railway servant at any one time.

12.6.21. A scheme of re-imbursement of tuition fee in respect of the wards of employees getting

less than Rs. 600 per month is also in vogue with effect from 1st May, 1964.

12.6.22. As an alternative to the scheme of Educational Assistance referred to above the Railway Administration is running 13 subsidised hostels at different places in major linguistic areas. In such hostels boarding is provided at subsidised rates to the children of railway employees drawing pay upto Rs. 349 per month.

12.6.23. On the recommendations of the Indian Railway Enquiry Committee (1947) who found the majority of the workers in the workshop illiterate and, therefore, lacking high sense of duty, the Railway Board issued the following directions :—

- (i) One hour thrice in a week for holding the class should be found outside the working hours of the employees' time;
- (ii) The text books and charts etc. should be supplied to the candidates free of cost;
- (iii) An honorarium of Rs. 20 per month should be paid to the instructor taking three classes in a week for a batch of about 20-25 students on rolls; and
- (iv) Any small expenditure necessary for providing lamps, oil, duster, chalk and other incidental charges should be defrayed by the Railways.

12.6.24. In its memorandum to the Committee, the Southern Railway Employees Sangh had requested that where 500 railway-men were employed in station (locality), the Railway should set up their own Secondary (High) Schools in addition to providing for elementary and primary schools at places where 100 railway-men were employed. The Sangh had, further, submitted that as railway-men were liable to be transferred from station to station, the education of their children could not be as systematic and efficient as of other children. This would put the children of railway-men to a disadvantageous position as compared to their counter-parts who would continue to study in one school or schools in the same locality. Such children would suffer further handicaps when they were to compete for entry into colleges or technical institutions. It was, therefore, necessary that some percentage of seats should be reserved for children of railway-men and others who were liable to frequent transfers in the services.

12.6.25. The Committee has been given to understand by the Railway Board that the Railways consider specific proposals regarding setting up of additional schools or up-grading of the existing ones on the merits of each case. The General Policy of the Railways has been that they open schools only at such places of concentration of Railway employees where the State Governments concerned have not opened their own schools so that the children of railway employees do not have to go without education. The Committee felt that as each case is considered on its merits by the Railway Board, no specific recommendation might be made by it in the matter.

Recreational Facilities

12.6.26. The Railway Administration is running 745 Institutes, Reading Rooms and Recreation Clubs as well as Mobile Libraries with a view to

promoting sports/tournaments and physical and mental efficiency. Where Institutes do not already exist and the need for the establishment of fresh Institutes is felt, the Committee recommends that the same may be provided.

Health Resorts and Holiday Homes

12.6.27. The information made available to the Committee by the Railway Administration shows that 21 holiday homes have already been set up by the Railways at places with picturesque surroundings on sea side or at hill resorts for the benefit of non-gazetted staff of the Railway Administration and their families. This is a very laudable welfare amenity provided by the Railways. The example set by the Railways should be emulated by other industries in the country.

The Southern Railway Employees Sangh, one of the Organisations of Railway Workers in South India, has suggested to the Committee that at least one health resort should be opened in each Railway Division. While it may not be possible to support this suggestion, the Committee recommends that keeping in view the utility of the Holiday Homes their number should be suitably increased.

Vocational Training & Handicrafts Centres.

12.6.28. Railway Administration have set up handicraft Centres with a view to enabling the families of railway employees to supplement their income. Although the value of the articles produced by them seems to be negligible, the Committee feels that the Railway Administration may be able to take steps to expand the activities of these Centres and, if possible, may also explore the possibility for commercialization of the articles produced in these Centres. This may give further impetus to the wives of the Railway employees and they may take advantage of these handicraft centres in greater numbers and with great interest.

Canteens

12.6.29. Two types of canteens are being run on Railways namely statutory and non-statutory. In the case of statutory canteens, Railway Administration bears cent per cent of the expenditure incurred on the salaries of the staff etc. whereas in case of non-statutory canteens it bears only 50% of the wages of canteen staff.

12.6.30. The Southern Railway Employees' Sangh have submitted to the Committee that in canteens run by the Railway Administration, the items are supplied at subsidised rates, while in canteens run by the employees they are sold at no-profit no-loss basis. The subsidy should be extended to the canteens run by employees as well. It has further stated that arrangements exist for serving tea and snacks to workers at their place of work but this is not normally done in the case of workers employed on night shifts.

12.6.31. The Sangh has also emphasised the need for appointment of separate inspectors to inspect the functioning of the canteens and the provision of edibles therein. It has suggested that existing Health Inspectors in the Railways should be given additional duties to inspect the canteens and to that extent the Cadre of Health Inspectors should be increased.

12.6.32. The Committee realises the importance of canteen in a large Undertaking like that of the Railways. It is, in fact, one of the basic

welfare amenities. We, therefore, feel that it is desirable that non-statutory canteens as well as canteens run by the employees should be encouraged and treated at par with the statutory canteens. At present the practice is that in case of the statutory canteens cent per cent of the expenditure incurred on the salaries of the staff, etc. is granted as subsidy whereas in the case of non-statutory canteens only 50 per cent of this expenditure is granted as subsidy. The same subsidy as is given to the statutory canteens by the Railways may also be given to the non-statutory canteens and canteens run by employees themselves. Credit sales facility may be extended to railwaymen in statutory and non-statutory canteens for a fixed percentage of pay subject to overall limits laid down in the Payment of Wages Act, 1936. Suitable amendments, if necessary, may also be made in the Payments of Wages Act to permit recoveries of the Credit sales.

12.6.33. The standardization of canteens as well as canteens served therein is considered essential for a variety of reasons which have already been detailed in Chapter on Canteens. Inspection of canteen is also considered necessary. It is, therefore, suggested that the medical department of the Railways should make arrangement for inspection of canteens at regular intervals.

12.6.34. The above welfare amenities are financed either directly from Railway revenues or from the Staff Benefit Fund.

12.6.35. A fund called the Railway Ministers' Relief Welfare Fund was set up in April, 1961 and it provides relief to railway-men and their families in distress particularly in such cases where no relief can be sanctioned under the normal rules or where relief under the rules is considered to be inadequate. The Railway Ministers' Relief and Welfare Fund is built up from the voluntary contributions made by railway-men and proceeds from charity shows arranged by the various Railways.

12.6.36. The Staff Benefit Fund is made up of grants from the Railways at the rate of Rs. 4.50 per non-gazetted employee per year and the resources of the fund are also augmented by special grants for sports. In addition to this, 50% of the expenditure incurred every year on technical scholarships granted by the Railways is also added to this Fund.

12.6.37. The rate of grant of Rs. 4.50 per non-gazetted employee per year as mentioned in the preceding paragraph was fixed sometime in 1961. It was suggested to us by Shri T. V. Anandan, a Member of Rajya Sabha, who is also a member of the Committee, and is actively connected with organisations of Railway workers, that the rate of contribution per capita to the Staff Benefit Fund should be raised to Rs. 7.50 per non-gazetted employee on the Railways. While it is not possible for the Committee to lay down any specific rate of contribution for this Fund, we feel that the rate having been fixed more than 7 years ago perhaps needs a review. The Committee, therefore, recommends that the existing rate should be reviewed and the per capita grant be revised upwards.

12.6.38. The recommendations made by the Committee do not, however, in any way, jeopardise the area of collective bargaining between the Railway Administration and its employees for any other additional amenities. Looking to the expansion of Railways rising standards of living, generally the requirement in every sphere can be assessed in bi-partite meetings between the Railway authorities and representatives of the employees from time to time and welfare amenities provided in terms of settlements reached between the parties.

POSTS AND TELEGRAPHS

Size of Industry

12.7.1. The postal system was born in India on 1st October, 1854 and in that very year first Indian Postal Stamp was issued. Now the Posts and Telegraphs is the biggest Public Sector Undertaking, second only to the Railways. Nearly 5 lakhs of people are employed in one capacity or another in this public utility concern (including 1,72,000 extra departmental agents). As on 31st March, 1967 the total investment in the Postal and Tele-communication Services was about Rs. 350 crores of which nearly 320 crores is on tele-communication alone.

12.7.2. Our Postal Department is one of the largest undertakings of the world and with expected rise in literacy and living standards of our people, the Indian Posts & Telegraphs Department is destined to be the largest public utility service in the world. Judged by any standard the Indian Postal system has made remarkable progress during the last hundred and odd years.

12.7.3. With a humble beginning of 700* Post Offices in 1854 the number rose to 99,833 in 1967-68. In 1854, only about 28,000* postal articles were handled by the Post Offices whereas in 1966-67 the Post Offices lifted 600† million articles.

Role of Posts & Telegraphs in Public Life

12.7.4. It is one of such public sector undertakings as are very intimately bound with human relations. Playing a vital role in the national life, this service deals with messages, helps to connect people and makes communications between human beings possible at all levels. Like Railways, Posts & Telegraphs system has also helped in breaking down many of the various barriers of prejudices, superstition, narrowness of outlook and parochialism.

Study of Welfare Services

12.7.5. Being vitally in touch with the public life as one of its essential life lines, the efficiency of the employees in this public utility undertaking is maintained through a well planned organisation of welfare activities. The Committee, therefore, asked the Department of Posts & Telegraphs to furnish details of welfare amenities as are available to its employees. At the same time the concerned workers' organisations were also approached

*Story of Indian Post Office—A Publication of Posts & Telegraphs Department.

†Post Office—Every Man's Service—an article written by Dr. Ram Subhag Singh.

to express their views on the provisions and administration of welfare amenities, further needs, if any, to enable us to study the matter in detail.

STAFF WELFARE SCHEME

Details of existing Welfare Amenities

12.7.6. Although it was the Post-war plan of the Posts & Telegraphs which gave definite prominence to the organisation of staff welfare, this organisation actually got under way some time in the middle of the year 1948. During that year, a Welfare Organisation was started with a Director Incharge of welfare, assisted by a Deputy Director, and a Welfare Officer in each circle, to promote, organise and expand welfare activities. Limited welfare activities such as canteens, tiffin rooms, consumers cooperative stores, organised by the Welfare Organisation were financed from general revenues. Subsequently, in 1958, the Posts & Telegraphs Welfare Advisory Board was set up. Based on its advice, a welfare fund was created in 1960 largely to cater for such welfare activities as could not be generally financed directly from the general revenues.

Medical Facilities

12.7.7. The Posts & Telegraphs employees avail themselves of medical facilities under the Central Services (Medical Attendance Rules), 1944. Moreover, the Department has opened dispensaries at places where there is concentration of over 5,000 beneficiaries, including family members of the employees.

12.7.8. By 1967, Posts & Telegraphs dispensaries had come into being at important places like Agra, Lucknow, Kanpur, Poona, Allahabad, Ambala, Patna and Bangalore, Calcutta, Jabalpur and Bombay. More dispensaries were to be started at

Cuttack, Jaipur, Jabalpur, Hyderabad and Tiruchirappalli.

12.7.9. Part time dispensaries were functioning at Posts & Telegraphs Training Centres at Saharanpur, Baroda and in Telephone Districts of Bombay, Calcutta and Madras and also at the office of the Controller of Telegraphs Stores, Bombay. 171 beds had also been reserved till then in various sanatoria which involved a recurring cost of over Rs. 4 lakh per annum.

Assistance in Case of Prolonged Diseases

12.7.10. Financial assistance in case of prolonged illness is given to employees drawing a salary upto Rs. 350 per month provided :—

- he is on leave on half pay or without pay;
- the disease is more than two months old;
- the employee has to support at least one dependent; and
- the employee is permanent or has at least three years service to his credit.

12.7.11. The assistance may be paid to the extent of Rs. 100 per month or 3/4th of pay, whichever is less, for a period of six months extendable upto eighteen months. In case of relapse, such restriction does not apply. This assistance can be continued for the period of one month even after joining duty if considered necessary.

12.7.12. In 1967-68 such financial assistance amounting to Rs. 2.34 lakh was given to the employees.

Consumers' Cooperative Societies

12.7.13. Till 1967, 140 consumers' cooperative stores were being run and the financial assistance admissible to these stores was as under :—

(1)	For societies with membership between 101 and 249	For societies with membership of 250 and above
	Rs.	Rs.
(a) Share Capital contribution upto	1,250	2,500
(b) Repayable working capital loan @ 5½ % interest per annum upto	3,750	7,500
(c) Managerial subsidy for 3 years on a tapering scale :—		
(i) For 1st year upto	450	900
(ii) For 2nd year upto	300	600
(iii) For 3rd year upto	150	300
(d) Accommodation on nominal rent of Re. 1 p.m. is provided		

Other Cooperative Societies

12.7.14. Apart from the Consumers' Cooperative Stores, the Posts & Telegraphs Department has organised a good number of other cooperative societies and has helped build up welfare activities for the staff by mobilising the cooperative efforts to the maximum extent possible.

12.7.15. This has encouraged the spirit of self help amongst the employees. When necessary, departmental assistance is given. This policy has yielded desired results.

12.7.16. 159 Cooperative Credit Societies, 34 House Building Societies and 19 Multi-purpose Societies are functioning in Posts & Telegraphs

Department. To encourage the cooperative movement, subsidies have been granted to various cooperative institutions, in the shape of nominal rent for accommodation (i.e. Re. 1 per month) if the cooperative is housed in a departmental building, initial non-recoverable grant of Rs. 100, interest free recoverable Rs. 1000, free provision of furniture, cash box, stationery etc. free electricity and water upto a certain limit to be fixed by the Head of Circles etc. to each society with a membership upto 100.

12.7.17. It is generally recognised that the employees of Posts & Telegraphs Department are facing acute shortage of residential accommodation. To mitigate this hardship, cooperative housing has become an important part of staff welfare. In 1967, 37 House Building Societies of the departmental staff were functioning throughout the country.

Canteens

12.7.18. To help fight against rise in food prices, a drive was launched in 1948 to organise canteens wherever housing accommodation was available. In the beginning, most of the canteens were run by cooperative societies registered under the Cooperative Societies Acts of the State concerned, but where the staff strength was not sufficient to permit the setting up of cooperative units, the canteens were run by the staff committees.

12.7.19. These canteens were encouraged by initial grants for the purchase of furniture and other equipment and accommodation in Departmental Buildings was provided at a nominal rent. They were also allowed free consumption of electricity and water. The efforts to set up canteens on cooperative basis, however, did not prove quite successful in spite of various concessions granted to them.

12.7.20. Subsequently, in the light of the recommendations of the Second Pay Commission and the policy formulated by the Home Ministry the whole scheme of assistance to the canteens was reviewed. At present the following concessions to Tiffin Rooms/Canteens (run by the Department itself or by the Cooperative Societies) are given :—

12.7.21. In the case of Tiffin Rooms 'B' type (run in the establishment where the number of employees is more than 24 but less than 50), the initial assistance given per room will be Rs. 200 while in the case of type 'A' tiffin room (provided for the establishment where the number of employees is more than 49 but less than 100) it will be given at the rate of Rs. 250 per tiffin room. Canteens will be categorised in four types 'A' to 'D' on the basis given below :—

Type	For establishments employing
D	more than 99 but less than 250 workers.
C	more than 249 but less than 500 workers.
B	more than 499 but less than 700 workers.
A	700 or more workers.

Financial assistance will vary from Rs. 300 to Rs. 1400 per canteen according to its category.

The costs of establishment will be met in full in the case of tiffin rooms and 50% in the case of canteens. The entire charge for electricity in connection with light, fans, refrigeration, sterilization and water will be borne by the Posts & Telegraphs Department.

Assistance to the Dependents of Deceased Posts & Telegraphs Employees

12.7.22. A cash assistance upto Rs. 350 per family is given to the dependents of a deceased Posts & Telegraphs employee if the employee had put in not less than three years' service and his pay did not exceed Rs. 500 per month at the time of death. The Department is organised in a number of circles throughout the country. On the recommendation of the Head of the circle, the Posts & Telegraphs Department also considers some hard cases which are not covered under the rules. During the financial year 1967-68, a sum of Rs. 1.18 lakh was distributed in the shape of cash assistance to the dependents of deceased employees.

Railway Fare to Handicapped Employees.

12.7.23. Reimbursement of actual third class fare from the place of duty to the limb centre and back is allowed in respect of handicapped employees who have to go to artificial limb centre for provision of such limbs, provided that such reimbursement is not allowed from any other source.

Assistance to Flood Victims

12.7.24. Such assistance is given to the employees drawing pay upto Rs. 300 per month at the rate of Rs. 50 per family. In case the text books of the children of the employees are destroyed by floods, they get an assistance at the rate of Rs. 30 per school-going child.

12.7.25. During the financial year 1967-68, the Posts & Telegraphs Department spent a sum of Rs. 32,000 in the form of assistance to flood victims.

Educational Facilities

12.7.26. Educational allowance and reimbursement of tuition fees are allowed to Posts & Telegraphs employees at the rates admissible to other Central Government employees. The employees drawing pay upto Rs. 349 per month are allowed educational allowances at the rate of Rs. 10 per month per child at a High or Higher Secondary School stage. Reimbursement of tuition fees actually paid for children studying upto first year of two years' Intermediate/Higher Secondary courses, is allowed in respect of Government recognised and aided schools.

Scholarships

(a) For Technical Education

12.7.27. The following scholarships are granted to the children of employees :—

- (i) 300 scholarships are awarded at the rate of Rs. 50 each per month to students pursuing technical degree courses such as engineering, technology and medicines including Veterinary Courses. 50 scholarships at the rate of Rs. 30 per month are granted to the students pursuing technical diploma courses in the above subjects. From the

academic year 1967-68, 200 awards of Rs. 150 each are given to the students pursuing technical courses for the purchase of books.

(b) For Non-technical Education

12.7.28. 50 scholarships value of each ranging between Rs. 15 and Rs. 20, are granted to the students pursuing non-technical courses. The students who secure 70% or more marks in High or Higher Secondary School Examination, are eligible for such scholarships.

12.7.29. The Posts & Telegraphs Department spent a sum of Rs. 4.67 lakhs on scholarships and books in 1967-68. This accounted for 50% of the total grant towards welfare fund.

Night Schools

12.7.30. In pursuance of the general policy of the Government to provide facilities for the educational advancement of its employees, the Posts & Telegraphs Department helps those interested in pursuing higher studies at schools or colleges and also provides night school facilities to staff for improving literacy and knowledge of Hindi.

Recreational Facilities

12.7.31. Considerable stress has been laid by the Posts & Telegraphs Department on the cultural and recreational activities of the staff. Efforts have been made to centralise the activities of smaller recreation clubs in many principal towns and cities by forming federations of clubs and organising common activities with a view to fostering a spirit of comradeship among the employees of Posts & Telegraphs Department. In this connection Head of Circles and Administrative Officers have been empowered to organise such clubs and give suitable grants out of their welfare fund as below :—

- (a) An initial grant for purchase of club equipment at the discretion of the President of the Welfare Fund Committee;
- (b) An annual grant-in-aid to the extent of Re. 1 per head for the entire staff eligible for club membership, but only where there is a recognised recreation club;
- (c) An additional matching grant equal to the subscriptions collected but not exceeding an over-all limit of Re. 1 per head per annum.
- (d) Ad-hoc grant, on merits, in special cases on recommendation of the President of Regional Sports Control Board.

In 1967-68 various recreation clubs received a donation of Rs. 2.45 lakhs from the Welfare Fund.

Posts & Telegraphs Sports Control Board

12.7.32. In 1959 a Posts & Telegraphs Sports Control Board was set up with a view to (i) promoting and developing sports, athletics and cultural activities and (ii) organising and controlling tournaments, exhibitions, meets and festivals. A grant of Rs. 2.5 lakhs per year is given to the Board for the purpose. As against this, a sum of Rs. 2.4 lakhs was spent on sports and cultural activities during 1967-68.

Holiday Homes

12.7.33. Seven Holiday Homes have been provided, one each at the following stations :—

Panchmarhi (M.P.), Mount Abu (Rajasthan), Matheran (Maharashtra), Simla (Himachal Pradesh), Mussoorie and Haridwar (Uttar Pradesh) and Rajgir (Bihar). It has been decided to open one more Holiday Home at Puri (Orissa).

Rest Houses and Dormitories

12.7.34. Rest rooms and dormitories with minimum necessary furniture have been provided in R.M.S. Offices, Telephone Exchanges and Telegraph Offices. Facilities of indoor games are available in the larger rest houses.

Holiday Camps/Trips :

Welfare Fund Subsidy from Posts & Telegraphs.

12.7.35. In respect of Holiday Camps/Trips the following concessions are granted :—

A subsidy upto 50% of the cost of railway journey or that undertaken by any other surface transport is permissible for employees drawing pay upto Rs. 500 per month. This concession is admissible to the employees and their family members (that is husband or wife, sons or daughters solely dependent on him or her) not more than once in two years. The above concession is admissible if such holiday camps are organised as a part of welfare programme for the benefit of Posts & Telegraphs employees and their family members with the prior approval of the Head of the Department.

12.7.36. Normally not more than two officially sponsored Posts & Telegraphs holiday camps for each unit are to be arranged in a year.

12.7.37. The expenditure on the excursion trips during 1967-68 was to the tune of Rs. 46,000.

Housing

12.7.38. According to information made available to the Committee, only 4% employees of the Department have been provided with accommodation. This is too low a percentage specially keeping in view the public utility nature of the service rendered by the Posts & Telegraphs personnel. The National Federation of Posts & Telegraphs Employees, the only All India Federation of these workers has, in reply to our questionnaire, pointed out that the accommodation provided to Posts & Telegraphs employees is extremely inadequate and also compares very unfavourably with a sister Public Utility Concern, Railways. We are inclined to feel that it is necessary that the department pays greater attention to provide housing accommodation according to a phased programme to a large number of its employees, more so when Posts & Telegraphs has its own programme of construction, of houses and has not to depend on outside agencies.

Welfare Amenities to Extra-Departmental Employees

12.7.39. As many as 1,72,374 extra-departmental employees were on the rolls of Posts and Telegraphs Department on March 31, 1967, getting a

fixed allowance ranging between Rs. 43 and Rs. 103 per month. These employees work as sub-post masters, stamp sellers and messengers, etc. in far-flung villages. Though some of those persons work either after retirement or on part-time basis, denial of even minimum and basic welfare amenities to about 2 lakhs of such employees is hardly justified. Although it is beyond the scope of this Committee to comment upon the desirability of having such a large number of employees on casual basis, it is felt that even if half of the present number of extra-departmental hands were to be employed on regular basis, they would have normally been entitled to all the welfare amenities that are given to regular employees. The Committee, therefore, recommends that there is need to provide some welfare amenities to extra-departmental employees. To such employees facilities like flood-relief, assistance in the case of prolonged illness, assistance to dependents in case of premature death of the bread-winner, medical, educational and other similar amenities may be extended. In order to extend these facilities it would be necessary to raise the quantum of the welfare fund which is at present Rs. 10 lakhs. The Committee feels that this quantum should be raised and it should be based on per capita basis as is the practice in the Railways.

Financing and Administration of Welfare Measures

12.7.40. Before 1958, the various welfare measures in the Posts & Telegraphs Department were financed from the general revenues. In 1958 a Welfare Advisory Board was set up and on the basis of its advance a Welfare Fund was created in November, 1960 largely to cater for such activities as could not generally be financed directly from the general revenues.

12.7.41. This Fund is financed through (i) Non-lapseable grant-in-aid of Rs. 10 lakhs per year from the Department, (ii) Voluntary contribution from the staff ranging from a minimum of 10 paise to Rs. 5 per month or a lump sum; and (iii) donations and voluntary subscriptions, funds raised by Central meets, variety entertainments, etc. on All India basis.

12.7.42. It is administered by a Central Posts and Telegraphs Welfare Fund Committee under the Chairmanship of the Director General, at the headquarters. This Committee has 27 Circles/Administrative Welfare Fund Committee. The primary objects of the fund are to :—

- (1) organise Sports Meets;
- (2) organise Posts & Telegraphs Arts and Crafts Exhibition, cultural meets, scouting and holiday camps;
- (3) arrange for training in first aid and organisation of ambulance brigades;
- (4) provide financial assistance for setting up and maintaining Posts & Telegraphs recreational clubs and community centres;
- (5) provide grants to cricket, hockey, football, volleyball and badminton clubs, construction or/ on repairs to tennis and badminton courts, cricket pitch;
- (6) supply of cine projectors and loud-speaker equipment;

- (7) provide financial assistance for participating in various sports and games at All India/ National levels, etc.;
- (8) provide financial assistance for deserving educational institutions sponsored by the staff of the Department;
- (9) award scholarships and other help to children or dependents of Posts & Telegraphs employees for Technical education and in deserving cases to children of exceptional merit for non-technical education;
- (10) provide financial and medical assistance in case of proved exceptional hardship resulting from serious or long illness or major surgical operations and financial assistance to dependents of deceased Posts & Telegraphs employees;
- (11) provide immediate relief of an emergent nature for which no provision exists or can be made available under the normal rules;
- (12) promote other welfare activities and give financial assistance for such other purposes which the Posts & Telegraphs Board may decide. Financial assistance from the welfare fund is also given for various welfare activities and institutions and to employees in distress as may be approved of by the Central Posts & Telegraphs Welfare Fund Committee from time to time.

12.7.43. The information contained in the preceding paragraphs of this chapter reveals that the Posts & Telegraphs Department provides a wide range of welfare amenities/facilities to its employees. The essence of giving these amenities lies in their optimum utilisation by the beneficiaries. The best way of achieving this optimum utilisation, in our opinion, is to associate the beneficiaries with the provision and administration of these amenities. To some extent this has already been achieved in the Posts & Telegraphs Department. According to information supplied to us in a number of larger Posts & Telegraphs offices welfare committees have been formed to discuss with the Head of Office concerned various aspects of working conditions. At the time of writing of the Report 128 such welfare committees were reported to be functioning in different places. Besides these committees, representatives of staff are also associated with the Welfare Advisory Board, Welfare Fund Committees, Sports Control Board and Minister's Benevolent Fund.

12.7.44. Despite this association of workers, it has been represented to the Committee that the administration of many of the aforesaid committees needs improvement. There can be room for improvement in any administrative set up. But we feel that a more essential factor is the handling of the administration of these amenities by persons with a proper bent of mind and with necessary training of the amenities that they are required to handle.

12.7.45. The above object, in our opinion, will be achieved if the Department of Posts & Telegraphs undertakes a series of measures aimed at (i) Training of personnel concerned with the running of canteens, cooperative stores, thrift and credit societies, etc. (ii) Promotion of welfare committees at the circle level consisting of the representatives of workers and management to review the working of the various welfare measures and suggest

measures for improvement periodically and (iii) Coordination of various activities at the circle level with a view to providing guidance for streamlining such organisations as are exclusively being run by the employees, namely, cooperative stores, thrift and credit cooperative societies, etc.

12.7.46. From literature supplied by the Department to the Committee, it appears that though the welfare amenities provided are of a varied nature, to a very large number of employees all over the country, drawn from different sections of society, having different customs psychological background and sociological environments, no study has been made to evaluate the changes that the impact of the welfare amenities might have created on the out-look of the employees and their families. We, therefore, recommend that periodical review of adequacy or otherwise of the welfare amenities provided and evaluation of their administration, their impact on employer-employee relationship and on the sociological and attitudinal changes in the out-look of employees should be undertaken by an Expert Body. Provision and administration of welfare amenities should also be suitably reorganised as a result of these reviews, if necessary.

12.7.47. We earnestly hope that the basic amenities which have already been provided by the Department would be continued and administered well. We, however, recommend that their enhancement and alternations, if any, should be effected as a result of collective bargaining between the Department and the concerned workers' organisations.

DEFENCE INSTALLATIONS AND WORKSHOPS

Introduction

12.8.1. There are over 4 lakhs of civilian employees working in various Defence Ordnance factories and other departmental undertakings like Ordnance Depots, Electrical and Mechanical Engineering Workshops, Naval Dockyards, Air Force Depots etc. All these workers are under the administrative control of the Ministry of Defence. Out of these, about 2.35 lakh workers are estimated to be industrial workers; 1,80,376 are employed in Army Installations, 66,745 in Ordnance and Clothing Factories and the rest are accounted by Navy, Air Force, Director General of Armed Forces Medical Services, Research and Development, Director General of Inspection, and others. Female employees, being only 1,731 widely dispersed in various installations, form a small proportion to the total strength of the workers in defence installations. The total number of registered factories and Workshops in the country under the control of the Ministry of Defence at present is 291.¹

Existing welfare amenities.

12.8.2. In order to assess the extent and scope of welfare amenities as are available to civilian employees as also to know the shortcomings and to suggest remedial measures, we requested the Ministry of Defence to circulate the Committee's questionnaire to the establishments under their control. Ministry of Defence was also requested to give exhaustive information on the subject along with their views or comments, if any. Simultaneously, the three Central Organisations of employees

viz., (i) All India Defence Employees' Federation, New Delhi (ii) Indian National Defence Workers' Federation, Kanpur and (iii) All-India Defence Employees' Federation, Poona, were also addressed in the matter. In addition to this, the Committee paid spot visits to (i) Gun Carriage Factory, Jabalpur, (ii) Inspectorate of Armaments and Gauges, Jabalpur (iii) Central Ordnance Depot, Jabalpur and (iv) Hindustan Aeronautics Ltd., Kanpur to collect first-hand information on welfare measures and to discuss the welfare problems, if any, with employers and workers.

12.8.3. The welfare facilities at present available to civilian employees in defence establishments, can be broadly classified into two main groups, namely (i) welfare amenities available under the provisions of the Factories Act, 1948 and (ii) such additional facilities as are under the Schemes approved and introduced by the Government of India from time to time. Under the second category, schemes financed through various welfare funds like Unit Benevolent Fund, Death Benefit Scheme etc., need special mention. The facilities provided under the Factories Act or introduced as per Government orders have been given in the succeeding paragraphs.

Canteens and mess rooms.

12.8.4. Section 46 of the Factories Act, 1948, enjoins on managements, wherein more than 250 persons are ordinarily employed, to set up canteen or canteens for the use of the workers. In most of the defence establishments canteen facilities and mess rooms exist and provide tea and snacks on no-profit-no-loss basis. Items are priced by the Canteen Managing Committee on which the workers are also represented. In a few canteens certain percentage of profits is set aside to make provision for replacement of canteen equipment and furniture. Establishment charges of the canteens are met by the management. Besides, direct charges borne by the Government, loans are advanced to meet working capital for some canteens from the Canteens Stores Department and from employees deposit account. Where canteen facility is not provided by the unit, the workers utilise canteens of neighbouring defence units. Mobile vending to supply tea and coffee is done at work-spot.

12.8.5. In addition to the management run canteens at some units the canteens are being run by the workers co-operatives. There is no practice of credit sales in the canteens.

12.8.6. The Committee during its visits observed overcrowding in canteens, where joint facilities are provided to units, located at close proximity to each other. To overcome this problem the Committee recommends that wherever joint canteen facilities are provided to units, located at close proximity to each other, effort should be made to provide adequate accommodation, service amenities and the like to overcome the problem of overcrowding etc.

Medical and health facilities

12.8.7. In matters of medical care, the civilian workers employed in Ordnance Factories etc. are outside the purview of the Employees' State

1. Source.—Ministry of Defence, Government of India, New Delhi.

Insurance Scheme. The workers and their families are served by well equipped dispensaries where they get free treatment. In some establishments mobile dispensaries go round all the work-spots daily to attend to minor ailments of the employees. In some establishments, where workers are employed in hazardous occupations and come in contact with explosives, provision of protective equipment is given. Milk and vitamin tablets are also supplied to the workers.

12.8.8. Apart from the treatment, available at the Government Hospitals, the workers suffering from T.B. and other serious ailments get financial assistance from Welfare Funds, constituted for this purpose in most of the units. The assistance is also provided for making purchase of costly medicines, nutritious diet etc., besides free hospitalisation. The workers exposed to lead poisoning are being provided with milk at prescribed rates and cases regarding specialised treatment are sent to the military hospitals.

12.8.9. As a non-statutory welfare measure to provide alternative means of medical treatment, a homoeopathic dispensary is functioning in the Chief Inspectorate of Textile and Clothing, Kanpur with the assistance of two honorary but qualified homoeopathic doctors out of staff members. The expenditure on this dispensary is generally met out of the Units Welfare Fund. The above description reveals that medical and health facilities for defence workers have been provided keeping in view the requirements of the workers. The Committee while appreciating the existing arrangements is of the view that such facilities should be reviewed regularly and necessary improvements may be made in consultation with workers' representatives.

Family planning.

12.8.10. On the basis of the material available with the Committee it is gathered that free supply of contraceptives, facility of sterilization and I.U.C.D. insertions are available in most of the units. Inspectorate of Armaments, Kirkee, has a provision for payment of Rs. 20 to male and Rs. 40 to female from Unit Benevolent Fund and Rs. 10 from Labour Welfare Fund, for sterilisation. Special leave for 6 days is granted to the employees of departmental undertakings who undergo vasectomy operations, etc. under the Family Planning Programme. In Hindustan Aeronautics Ltd., Bangalore, employees undergoing sterilisation operations are given special leave for 7 days in the case of a male employee and 14 days per female employee.

Educational facilities.

12.8.11. Some of the defence installations have high schools, primary schools and kindergarten schools. Where units do not provide schools, the schools provided by the Central/State Governments sister undertakings, are made use of. In all the departmentally run units, reimbursement of tuition fees as per Central Government Rules is in vogue. Some of the institutions provide free milk and mid-day meals, while uniforms are also supplied to the children free of charge in certain establishments. The facility of free transport for the children, from residence to school and back, is also provided in some units where schools are situated at a distance. Where such a facility is not available and schools are at a distance, the children of the employees experience great difficulty in attending their schools. We would, therefore, like this amenity

to spread as widely as possible wherever considered necessary. In the light of the above the Committee recommends that wherever schools are not situated within a reasonable distance, free/subsidised conveyance from residence to school and back for the children of the employees may also be provided. The Mazgaon Dock Ltd., have set up a Scholarship Fund for helping needy workmen to enable their children to pursue higher studies. Under its Apprenticeship Training Scheme a number of trainees are taken for various designated trades. In the field of adult education, arrangements have been made at such units under the Workers' Education Scheme of the Ministry of Labour & Employment, wherever there is sufficient response from the workers for receiving the adult education. The unit authorities provide accommodation for conducting the classes. The teachers are either Worker-Teachers Trained under the Scheme or trade union office bearers who volunteer to render honorary services. The classes are held partly outside working hours, before and after lunch or before and after closing hours. Half of the time spent by the workers in these classes is within working hours. In the case of Hindustan Aeronautics Ltd. Bangalore, the expenditure on adult literacy classes is met through the Welfare Fund. Facilities like accommodation and adjustment in shifts for workers attending these classes are also extended by the management.

12.8.12. Most of the managements supply free milk and mid-day meals to the children. Considering the value of such measures the Committee recommends that possibility of extending this facility to children particularly of low-paid workers in all schools run by the Defence installations may be considered, if feasible.

Housing facilities.

12.8.13. The managements have constructed quarters for some of the staff and have further programmes of expansion in hand. In the case of low-paid employees, some are given houses free of rent. Many of the bigger Defence installations have housing estates attached to them. The Naval Dockyard Bombay has an estate called the Pawai Housing Colony. Workers Co-operative Housing Societies also exist in establishments like Hindustan Aeronautics. In certain cases loans are given to employees for the construction of their own houses. These loans are governed by the Central Government Rules. During its tour, the Committee formed an impression that the civilian workers in these establishments were not given the same facilities as defence personnel in matters of accommodation. The Committee suggests that the Ministry of Defence should make sustained efforts to provide housing accommodation to a large number of civilian workers in the near future.

12.8.14. The Committee also felt that if the co-operative Housing Societies are formed by individual units, it will go a long way in helping the workers to have their own houses. We, therefore, feel that the Defence Ministry would do well to direct its units to encourage workers to form Co-operative House Building Societies to accelerate the programme of house building.

Transport facilities.

12.8.15. Most of the Defence Undertakings/Units have provided transport facilities at subsidised rates to their workmen where adequate public

transport services are not available. A Ferry Boat is available to employees of Navy Office, Cochin, from Ernakulum to Willingdon Island. Monthly passes are issued to the employees by the above service. Transport facilities of Naval Armament Depot, Naval Armament Inspectorate and Naval Store Depot have been given to workers.

All the defence establishments or undertakings have provided cycle-stands free of cost or at nominal charges.

12.8.16. In view of the fact that workers have to cover long distance to reach the work spots and it is to the advantage of the workers as well as the installations if adequate transport facilities are provided to the workers by the Defence Installations. The Committee, therefore, recommends that **wherever public transport services are not available or are inadequate, transport facilities may be provided to the workers by the Defence Installations.**

Recreational facilities.

12.8.17. Recreational facilities are provided, in most of the defence undertakings, to the employees and their families. These facilities are financed from the Labour Welfare Fund supplemented by voluntary donations and/or monthly subscriptions from the workers. These facilities are also adequately aided or subsidised by managements, wherever necessary. The Recreational Clubs or Centres in these units provide indoor games, reading rooms and other recreational facilities, sports playgrounds for outdoor games and cine projectors. Community Halls have also been provided in some units. In places where three to four units are functioning in a contiguous area combined sports Committee has been formed to provide recreational facilities.

12.8.18. Besides paying due attention to the recreational aspect of employees, some units have made good arrangements for the recreation of the family members of the employees also. Especially, Nari Kalyan Kendras which include provisions for training in knitting, sewing and dancing etc., have been set up at some places. Managements are meeting expenditure on the building accommodation, electricity and furniture of such Kendras. The training facilities provided at these Centres to a worker's family have proved very useful as these help in supplementing their income also. Special emphasis has been laid on this amenity by the Workers organisations. The Committee having considered the existing position and recognising the need for such facility recommends that **efforts should be made to set up more Kalyan Kendras, in residential areas where there is a concentration of defence employees.**

Credit and saving schemes.

12.8.19. Adequate attention seems to have been paid by the defence installations and workshops in the field of Cooperative activities. The Employees' Consumers Cooperative Stores/Fair Price Shops are functioning in majority of the units, and make available essential commodities of day to day necessities to workers at the prices lower than prevailing in the market. The Cooperative Stores in these units are assisted by the employers with some facilities, such as accommodation for these stores/shops at nominal rent, electricity, water and other facilities, for their smooth and effective functioning. They are being managed wholly by elected Committees of workers/share-holders of the Stores. In the case of Cooperative Stores,

Governments/Managements have purchased shares of Rs. 2,500 and advanced a sum of Rs. 10,000 on 4½% interest. Managerial subsidy, at the rate of Rs. 900 for the first year, Rs. 600 for the second and Rs. 300 for the third year, is also given. Accommodation and electricity is supplied on nominal charges, wherever possible. Some stores have provision only for rationed articles, while a few others have also provision for toilets, general merchandise, radios, sewing machines and other articles of daily necessity. The Hindustan Aeronautics Ltd., Bangalore provides interest-free loans to staff, rent free accommodation, and transport at concessional rates, for running the cooperative stores. In a good number of units, the recovery of dues from workers who make purchases on credit from the stores, by deduction from wages, is also arranged by the Management. The membership of Cooperative stores is open to employees of sister establishments as well.

12.8.20. Cooperative Credit societies are also functioning and making available long term loans at a low-rate of interest to their members. In some units these societies are to some extent financed through Labour Welfare Fund, established in all the units. In some of the defence establishments or undertakings, for example, Mazgaon Dock and Hindustan Aeronautics Ltd., arrangements for receiving saving deposits from the workers under the postal 'Cumulative Time Deposit' scheme also exist. In some units facility to the workers to insure themselves under the Life Insurance Corporation's Salary Saving Scheme under which the premiums are realised from their pay and remitted by the establishments to the insurance companies also exist. Small savings schemes floated by the Government of India can help employees in developing habits of thrift and ensure some funds in times of need. It would be better if such schemes are propagated among the defence workers.

Distress relief and cash benefits.

12.8.21. Some of the defence installations and workshops have provision for ex-gratia grants from Labour Welfare Fund in case of death, fire etc. Interest free loans are also given in cases of pecuniary distress. Units are sanctioning festival advance to employees according to the existing Government Orders to an extent of Rs. 75 once a year to those drawing a basic pay up to Rs. 375 on the eve of important festivals.

12.8.22. Apart from the Welfare facilities civilian employees are getting under the provisions of Factories Act or as per Government Orders discussed above certain Welfare Funds have been constituted at Unit level on voluntary basis or under the directions of the Government. The object behind these funds is to provide facilities outside the work premises or to augment the existing Government Orders to an extent of Rs. 75 known as (i) Labour Welfare Funds for industrial employees, (ii) Inspectorate of Armaments General Fund Account, (iii) Hard Case Fund, (iv) Death Benefit Scheme and Benevolent Fund. The salient features of each fund are discussed below:—

- (i) The Labour Welfare Funds for industrial employees are financed by voluntary contributions from workers and matching contribution upto a maximum prescribed amount from the Government. At present Government contribution to the fund is equal to the employees contribution or Rs. 2 per employee whichever

is less per annum. The present rate of contribution to the Fund by the employees ranges from 20 paise to Re. 1. A good number of welfare amenities such as educational activities, library and reading rooms, purchase of sport materials and trophies for games and sports, grant of interest-free loans to workers and other measures of common benefit are financed through the fund. Interest free loans are sanctioned to the subscriber, at a time of sudden illness of self and dependents, heavy medical bills, distant rail journeys, distress, and marriage of self and dependents up to the basic pay of the applicant or Rs. 50 whichever is less. This limit can be relaxed in exceptional circumstances at the discretion of the Labour Welfare Fund Sub-Committee.

- (ii) In some of the defence installations and workshops the 'Inspectorate of Armaments General Fund Account', has been created with a view (a) to improve working conditions, (b) to help in case of distress (c) to assist in raising both administrative and technical efficiency of the inspectorate and (d) to provide better canteen facilities etc. This fund is made up of compulsory contributions from Officers but voluntary from staff and workmen and from the profits of the canteen. Rate of subscription varies from 5 paise to 50 paise per month per head.
- (iii) The Hard Case Fund, as the name denotes, is meant for helping employees in case of acute need.
- (iv) The Death Benefit Scheme came into force w.e.f. 1st June 1962, provides financial aid in the event of death of an employee, to the next of kin of the deceased. Membership of this Scheme is purely voluntary and is open to all the employees of the establishments. A sum of Re. 1 is charged per employee as contribution and after pooling contributions from all members it is paid to the next of the kin at the time of the death of a worker.
- (v) Unit Benevolent Fund is purely voluntary. Any employee, military or civil can become a member. Subscribers earning a basic pay of Rs. 300 p.m. are entitled to get aid from this fund after completion of continuous membership over a year. Under the Fund a member is eligible for aid to meet the expenses on treatment to the extent of Rs. 120 during a calendar year either for self or for his family members. In addition to this payment for hospital stoppages, funeral expenses, loss of wages on account of prolonged sickness, incentives for sterilisation, etc., are also made in certain cases according to the prescribed

scales and on compassionate grounds. The rate of contribution varies according to the occupation. It is 75 paise for a labour every six month and maximum of Rs. 4.50 for a technician. The subscription is payable in advance.

12.8.23. From the foregoing, it may be apparent that the unit-wise Labour Welfare Funds are serving a useful purpose. These funds can, further, undertake certain new programmes or provide the existing benefits on much larger scale but the finances seem to be a limiting factor. At present the Government is contributing equal to the employees' contribution or Rs. 2 per employee per annum whichever is less. The contribution of the employees ranges between 20 paise to Re. 1 per annum. If more resources are made available to the Labour Welfare Fund it is expected that it would prove more useful as it would result in the expansion of activities. For the facts stated above, the Committee came to the conclusion that the Government grant as well as employees' contribution should be suitably revised upwards.

LIFE INSURANCE CORPORATION

Introduction.

12.9.1. Life Insurance Corporation (LIC) came into being in the year 1956, as a result of the nationalisation of Life Insurance Companies functioning in the country. Since then the Corporation has grown in size and as on 31st March, 1968, it had 36 Divisional Offices, 414 Branch Offices, 135 Sub-Offices and 152 Development Centres.* The total number of employees in 1966 were 51,576. Divided into Class I, II, III and IV categories, this number of employees rose to 52,007 in the year 1968.** Employees belonging to Class III and IV have been covered by the Industrial Disputes Act and, therefore, fall under the category of workers. They are about 41,000 or 80 per cent of the total employees. Majority of the workers are non-manual and comparatively better paid. Conditions of work of these employees are regulated by the Shops and Commercial Establishments Act, the Payment of Wages Act and the Industrial Disputes Act.

Details of the welfare amenities.

12.9.2. The Committee had issued a questionnaire to the LIC and some important workers' organisations connected with this industry to know the details of welfare amenities provided to employees. Replies have been received from the All-India Life Insurance Employees' Association, Calcutta, and the Head Office of the Life Insurance Corporation. In the absence of any statutory provision of welfare amenities most of the amenities are provided to the employees by the Corporation voluntarily. In case of certain welfare amenities, like medical and housing, the Corporation is making such allowances, consequent to a bipartite agreement concluded between the Life Insurance Corporation and two Employees' Associations* in January, 1963. Some other cash allowance like Hill Allowance, @ Functional allowance, Bonus, Dearness Allowance, Provident Fund and Gratuity and Assurance for LIC

*P-12 : LIC Report and Accounts for the year ended 31st March, 1968.

** P-55 : LIC Report and Accounts for the year ended 31st March, 1968.

*1. All India Insurance Employees' Association.
2. All India Life Insurance Employees' Association.

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employees are also given as a result of the above settlement.

Housing facilities.

12.9.3. Housing facility assumes special significance in the case of metropolitan cities where, due to shortage of houses, employees are put to great difficulties. Realising the need of its employees, the Life Insurance Corporation took up the construction of houses at various centres in the country. So far, 1,002 houses have been constructed and allotted; 138 houses are under construction and there is a proposal to construct 436 more houses. Usually, these houses are given on lease and on licence basis and the licence fees paid by the allottees is worked out on the basis of a net return of 3½ per cent, on the investment. The number of houses constructed by the Corporation so far is very low i.e., for 2 per cent of the total employees only. This facility, therefore, has to be substantially increased, even though Class III and IV employees of the Corporation are getting house rent allowance according to their pay scales. The allowance is ranging between Rs. 8 and Rs. 15 per month.

12.9.4. The Life Insurance Corporation, which is granting loans to various agencies for financing different housing schemes in the country is also providing loans and advances to its employees for construction or purchase of their own houses. Under this Scheme, the amount of loan sanctioned to an employee is determined on the basis of the post held by him and the classification of the city selected for construction, etc. Amount of such loans varies from Rs. 11,000 to Rs. 20,000 according to category of posts for Class III and IV employees. These advances are given @ 5% interest per annum on a phased basis.

12.9.5. In order to meet housing requirements of its employees, the Life Insurance Corporation has envisaged formation of co-operative housing societies. These societies are being given loans by the Corporation to augment their financial resources. During the year, 1967-1968, 23 societies were formed bringing the total number of such co-operative societies to 150 as on 31st March, 1968. Applications for loans amounting to Rs. 95 lakhs were sanctioned to 18 societies during the year under review. These societies in turn grant loans to individual employees of the Corporation for the construction or purchase of houses. Despite all these measures, the housing facility to Life Insurance Corporation employees is by and large unsatisfactory.

12.9.6. We feel that the house building scheme of the Corporation could become more popular and useful, if the terms and conditions of the

loans are reviewed by the Corporation and liberalised to the extent possible. We, therefore, recommend that the Corporation should provide liberal terms for house building advance/loans to enthruse its employees.

Cash medical benefits.

12.9.7. Unlike other industries the employees in Life Insurance Corporation are not enjoying any medical facilities as such, in the form of outdoor and indoor treatment, hospitalisation, treatment of serious diseases and pathological and other tests. In the absence of these facilities the Corporation, as per the agreement gives to every employee Rs. 50 per calendar year by way of reimbursement with accumulation permitted upto three years. Cash benefit can be utilised by an employee for himself, his wife, children under the 18 years of age (in case of a female employee for herself, her husband, children under the 18 years of age) and widowed mother mainly dependent on the employee and staying either with the employee or with the employee's wife/husband and children. Payment of cash medical benefit to the employee is subject to the fulfilment of following conditions :—

- (a) Benefit can be claimed only if the treatment is availed from a registered Medical Practitioner.
- (b) Medical bills are reimbursable to the extent of Rs. 50 only per year.

12.9.8. The Life Insurance Corporation is incurring an expenditure of the order of Rs. 20 lakhs per annum by way of reimbursement of medical expenses for its Class III and Class IV employees alone.† No doubt the Corporation is incurring a substantial amount by way of medical reimbursement on its Class III and Class IV employees but looking from the employees point of view, the cash medical benefit of Rs. 50 per annum hardly meets the requirement. This is more so in cases of specialised and prolonged treatment for diseases like T.B., Cancer, Leprosy, etc. It is, therefore, desirable that expenditure on specialist treatment is also reimbursed. In fact no amount of cash reimbursement can replace the actual provision of medical facilities. We, therefore, recommend that the possibility of providing medical benefit through extension of E.S.I. Scheme to L.I.C. workers may be explored. For the interim period expenditure on specialised treatment may be reimbursed.

Canteen facilities.

12.9.9. Canteen facilities are provided by the Corporation in all its major offices. At branches

@Hill Allowance is given to compensate the employees for the extra cost involved at the Hill Stations. All employees stationed at the Hill Stations of 4,000 feet and above sea level are entitled for Hill Allowance at the rate of 15% of their basic salary subject to a minimum of Rs. 20 and maximum of Rs. 75.

There is a provision in the agreement that the amount of Hill allowance being paid at the time of the settlement would protected till a stage was reached when the allowance as per the revised scale exceeded the then existing allowance.

†'Term Assurance'.—The Life Insurance Corporation has introduced a Scheme known as 'Term Assurance' for the benefit of its employees. Under this Scheme the supervisory and clerical staff are insured for an initial sum of Rs. 3,000 and subordinate staff for Rs. 1,500. For each 5 years of service the supervisory and clerical staff gets a benefit of Rs. 1,000 and subordinate staff a benefit of Rs. 500 subject to a maximum of Rs. 8,000 and Rs. 4,000 respectively. The amount of the insurance is payable only in the service of the Corporation. The employees of the Corporation are not required to pay any premium towards this insurance.

†Class III and Class IV include clerical, supervisory and subordinate employees. They constitute the bulk of the employees in the Corporation and their number was 40,547 on 31st March, 1968.

employing upto and inclusive of 15 Class III and IV employees, a capital expenditure not exceeding Rs. 75 is incurred once by the Corporation. At other branches employing more than 15 but less than 200 Class III and IV employees, capital expenditure not exceeding Rs. 100 is being incurred. The capital expenditure is for purchase of utensils, etc. Management also provides space and gas (wherever available), furniture and electricity for the canteens. In respect of offices having a staff of 200 or more certain capital expenditure is being incurred by the Corporation for purposes of running the canteens either by outside contractors or by co-operative societies of the employees. The capital expenditure incurred by the Corporation is for providing (a) suitable canteen room within the premises free of rent (b) suitable small space for the kitchen free of rent, (c) tables and chairs for the canteen, and (d) kerosene stove for a cooking range, electricity and water.

12.9.10. According to All-India Life Insurance Association most of the canteens are run by contractors with a managing committee of elected employees. Canteens are also run by workers' co-operative societies. It has been pointed out by the Employees' Association that the existing canteen facilities are inadequate and workers have to depend on shops outside the work premises.

12.9.11. The Committee notes that the capital expenditure provided for the establishment of canteens is not enough to provide the required facilities and, therefore, recommends that the Corporation may undertake to provide space free of rent, utensils, furniture, electricity and water in all the canteens serving 200 or more employees.

Recreational facilities.

12.9.12. The Life Insurance Corporation has paid due attention for affording recreational facilities to its employees. For this purpose, clubs have been opened in almost all the Offices of the Corporation where indoor games are organised. Employees have also evinced a good deal of interest in recreational activities by forming sports teams and taking active part in tournaments. Though no welfare centres as such have been set up by the Corporation to encourage sports activities amongst its employees yet branch offices have been instructed to make available separate rooms for recreational purposes subject to availability of accommodation. These sports clubs which the Corporation has decided to set up in each town are given financial assistance. The staff also contribute, though at a nominal rate.

Cooperative institutions.

12.9.13. Cooperative Stores, Cooperative Credit Society and House Building Society etc., have been set up by the employees of the Corporation. It has been stated by the All-India Life Insurance Employees' Association that the Corporation have not extended any financial assistance to fair price shops/stores but have provided adequate space at a nominal rent.

Facilities of advances.

12.9.14. The Life Insurance Corporation grants advances for the purchase of vehicles/cycles to its employees. In addition, in the event of emergencies or distress like floods or famine, cyclones fire, etc., interest free advances are given to the employees by the Corporation. The amount of the advances generally sanctioned is two months' basic pay or Rs. 200 whichever is less recoverable in 12 monthly instalments. In certain cases the limit of Rs. 200 has been raised upto Rs. 500. An interest free festival advance upto Rs. 200 is also given once a year and is recoverable in 8 instalments.

Welfare funds.

12.9.15. Apart from the amenities mentioned above, the Corporation has constituted a 'Chairman's Staff Welfare Fund' and 'Emergency Medical Aid Fund' to give non-recoverable cash assistance to its employees in deserving cases. These special funds cater to the needs of the employees on a limited scale and deserve expansion so as to cover some additional amenities like distress relief, etc. This could be achieved either by creating 'Benevolent' or 'Compassionate Fund' or alternatively the existing Fund be suitably augmented so as to provide suitable cash relief in distress like flood, fire, accidents, etc. We, therefore, feel that either the existing funds may be augmented so as to provide relief in contingencies like flood, fire, accidents, etc., or a separate benevolent or compassionate fund be created for this purpose.

Educational facilities.

12.9.16. The Life Insurance Corporation at present is not running any educational institution for the benefit of the children of its employees nor has the Corporation any Scheme of granting scholarships and books-grant, etc. In the absence of such arrangements the employees of the Corporation, particularly, those belonging to Class IV categories, are hard-hit. In view of this the Committee feels that the Corporation would do well if it could frame a regular Scheme of granting scholarships, books-grant, etc. to the children of Class IV employees. We, therefore, recommend that educational facilities in the form of scholarship, books-grant to the children of Class IV employees may be provided.

PORT AND DOCK WORKERS

Introduction.

12.10.1. The traffic passing through the major ports in the country has increased considerably and is likely to increase further in the years to come. From 48.4 million tonnes in 1964-65 the traffic rose to 50.2 million tonnes in 1965-66. The total traffic to be handled by the major ports by the end of Fourth Plan is estimated at 82.5 million tonnes. The traffic at minor ports is also expected to increase from about 9 million tonnes

*It is learnt that the 'Chairman's Staff Welfare Fund' has been replaced by a 'Life Insurance Corporation of India Turst Fund'. At present neither the Corporation nor the employees are required to contribute towards the Fund. This Fund has been made up by amalgamating 'Chairman's Relief Fund' at Bombay and Madras and the 'Staff Amenities Fund of the erstwhile insurers'. Relief out of this Trust Fund is granted to LIC employees in highly deserving cases suffering from ailments involving prolonged medical treatment, prolonged extraordinary leave, when the employee had exhausted all the available financial resources.

**Expenses out of 'Emergency Medical Aid Fund' are defrayed by the Life Insurance Corporation in the event of emergent medical treatment.

in 1965-66 to about 12 million tonnes in 1970-71¹. The increase in Port traffic has generated additional employment opportunities for Dock² and Port³ workers. The registered Dock workers which were 20,242 in number in 1965 increased to 24,704 as on 1st January, 1968. The number of unregistered workers in the Ports of Bombay, Calcutta and Madras stood at 14,467 on 1st January, 1968. Similarly the number of Port workers which was about 1,00,461 in 1966 rose to 1,01,925 on 31st December, 1967.⁴

Administrative machinery.

12.10.2. Dock and Port labourers work side by side within the same precincts at each Port. The Dock labourers are employed either by the Dock Labour Boards or private employers. The Port workers are recruited through the Port Trust Authorities. Another broad distinction between Port and Dock labour is that while the former handles cargo on shore, the latter works in loading and unloading of board vessels in mid-stream. Dock Labour Boards which were established under Section 5(a) of the Dock Workers (Regulation of Employment) Act, 1948, for all administrative purposes, fall under the charge of the Ministry of Labour, Employment and Rehabilitation. The Port Trusts are administratively controlled by the Ministry of Transport and Shipping.

12.10.3. All the major Ports in the country are administered by the Trustees (in Calcutta, Trustees are called Commissioners). The Trustees derive authority from the Statutes relating to the respective Port Trusts. The Port Trusts in Cochin, Visakhapatnam, Kandla, Mormugao and Paradeep are managed under the provisions of the Major Port Trusts Act, 1963. The Ports of Bombay, Calcutta and Madras are, however, governed by the respective Ports Act. Dock Labour Boards are governed by various Schemes framed under the Dock Workers (Regulation of Employment) Act, 1948. Both Port Trusts and Dock Labour Boards are tripartite bodies.

Historical background

12.10.4. The Dock Workers first attracted the attention of the International Labour Organisation as far back as in 1929 when the I.L.O. presented draft Convention on Protection against accidents. Later, the Royal Commission on Labour studied the safety measures, hours of work and the problem of regular employment in docks. The Commission in its Report recommended the "Decasualisation of the Dock Workers". The main object behind this recommendation was to secure, "as large a measure of regular employment as the nature of calling will allow." The first legislative action for this class of workers in this industry was taken when the Indian Dock Labourers' Act, 1934 was put on the Statute book. It gave effect to I.L.O. Convention No. 32 (Revised) concerning protection against accidents involving

workers engaged in loading and unloading of ships. The provision envisaged under the Act, could not be put into effect earlier than 1948 because of Second World War.

12.10.5. After independence, the Dock Workers (Regulation of Employment) Act, 1948 came into being which provides for regulating the employment of dock workers. The dock workers can, now, be broadly classified into (i) Registered workers (ii) Un-registered and (iii) Casual Workers. The workers covered by the Dock Workers (Regulation of Employment) Schemes framed under the Dock Workers (Regulation of Employment) Act, 1948 are called registered workers. The category of un-registered and casual workers has come into existence as a result of de-casualisation schemes. These schemes which are now in operation in the major ports of Bombay, Calcutta, Madras, Visakhapatnam, Cochin and Mormugao are designed to ensure regularity of employment as also to guarantee payment of minimum wages to these workers. They cover only a few category of workers such as foremen, winchmen, stevedores, mazdoor, tally clerks and tindal etc.

12.10.6. Un-registered Dock Workers (Regulation of Employment) Schemes 1957 (also called Listing Schemes) are in operation in the Ports of Bombay, Calcutta and Madras. The main purpose of the Listing Scheme is to collect necessary data with a view to assess whether listed workers can ultimately be decasualised and given the benefits of regular employment, minimum guaranteed wages, etc.

Single member committee report.

12.10.7. A Single Member Committee popularly known as Mankikar Committee was set up by the Government of India in November, 1964 to enquire into the existing welfare facilities available to dock workers in major Ports and to recommend improvements and formulate new schemes. The Committee visited only 5 major Ports viz., Bombay, Calcutta, Madras, Cochin and Visakhapatnam. It examined in detail the amenities provided in the Port premises and also reviewed other welfare measures adopted to promote a higher standard of living. Number of deficiencies were pointed out in different Ports in respect of drinking water arrangements, bathing facilities, latrines, urinals, first-aid facilities, transport, call stands, rest shelters and canteens. According to the Committee while canteens were paid good attention by the authorities, the rest shelters, call stands and first-aid arrangements received very little attention. In the field of medical facilities the Committee was of the view that there was still considerable scope for expansion of the existing facilities. The Committee observed that "though the facilities provided were more or less adequate yet they were not properly made use of. Many of the excellent facilities provided were now in a very unsatisfactory condition due to mis-use,

1. Fourth Five Year Plan—A Draft Outline, p. 296-297.

2. "Dock Worker" means a person employed or to be employed in, or in the vicinity of, any port on work in connection with the loading, unloading, movement or storage of cargoes, or work in connection with the preparation of ships or other vessels for the receipt of discharge of cargoes or leaving Port.—Section 2(b) of the Dock Workers' (Regulation of Employment) Act, 1948.

3. Port Labour as is commonly understood—is a person engaged in handling cargoes, loading and unloading and other incidental or connected work in shore.

4. Ministry of Transport & Shipping. This number includes Class III and Class IV (clerical, mazdoors, messengers, etc.) and casual workers.

damage and pilferage of fittings, poor maintenance and general lack of supervision." In order to "improve the standard of living, apart from these amenities at the place of work, the welfare amenities should reach to the home of the workers to enable them to lead fuller life and be a useful member of the community." The Single Member Committee also observed that with "the decasualisation of dock labour, a new concept is gaining ground that the amenities provided should be of a standard comparable to those available to other industrial workers and that these should be housed in well-constructed buildings so as to signify the dignity and new status attached to dock work and create among dock workers a more responsible and cooperative attitude.....". In order to remove the deficiencies noticed by the Committee it made certain recommendations, important among them are given below:—

1. Improved methods of cleaning should be adopted and utilisation of sea water for flushing and bathing should be considered and maintenance procedures must be simplified. The defects and deficiencies should be set right immediately.
2. A Committee should be appointed, consisting of representatives of the Port Authorities, Dock Labour Boards, trade unions and other interests concerned to carry out local surveys of the amenities available at regular intervals and to make suggestions with regard to their provision and maintenance.
3. The Dock Labour Boards should take urgent steps to acquire suitable land for the construction of housing colonies, call stands, canteens, rest shelters, hospitals, and other welfare facilities.
4. The welfare departments could with advantage, be strengthened with social workers so that the welfare could reach the home of the workers.
5. Pending construction of buildings required for the provision of these amenities, early steps should be taken to provide alternative facilities such as a mobile dispensary-service, canteens for the supply of tea, snacks and food packets and a mobile fair Price shop supplying certain essential commodities. Other welfare measures could take the form of circulating libraries, sports and recreational facilities and various other measures which would not call for any elaborate facilities.

12.10.8. The Committee asked each Dock Labour Board to intimate the extent of implementation of the Mankiker Committee's Report. The Bombay, Cochin, Calcutta and Madras Dock Labour Boards have stated that the recommendations of the Mankiker Committee, concerning dock workers, have been implemented. The Vizagapatam Dock Labour Board has intimated that "taps have been provided in the latrines of the call-stands and it was ensured that water is available always for drinking purposes. A water-cooler has been installed at the call-stand. Necessary steps are being taken for the construction of dispensary and recreational hall".

12.10.9. From the above review it is apparent that some of the recommendations of the Single Member Committee are still to be implemented on dock or port side and as these are of essential nature, it is necessary that efforts should be made by all concerned to implement the recommendations of the Committee. We, therefore, recommend that "All Dock Labour Boards/Port Trusts should make urgent efforts to ensure that the recommendations of the Single Member Committee are implemented immediately."

Statutory provisions concerning welfare measures.

12.10.10. The provision relating to safety, health and welfare of the port and dock workers are spelt out in (1) the Indian Dock Labourers' Regulations 1948 framed under the Indian Dock Labourers Act, 1934 and (2) The Dock Workers (Safety, Health and Welfare) Scheme 1961 framed under the Dock Workers (Regulation of Employment) Act, 1948. The Indian Dock Labourers' Regulations apply to all stevedores workers employed on Board, any vessel within the limits of a port and also to shore workers doing work alongside a vessel.

12.10.11. The Indian Dock Labourers Act, 1934 and Regulations framed thereunder cover only the safety aspect of dock and port workers engaged in loading and unloading of ships but do not cover the provisions relating to their health and welfare. The provisions relating to health and welfare of port and dock workers have been taken care of under a separate comprehensive scheme known as Dock Workers (Safety, Health and Welfare) Scheme, 1961, which came into force w.e.f. 1st October, 1961. Under this scheme the port and dock workers, by and large, enjoy facilities like drinking water latrines, urinals, washing and bathing, canteens, call stands, spittoons, ambulance carriages, ambulance rooms and rest-sheds, first-aid etc. All these facilities are required to be provided by the port authorities. Welfare facilities provided under the Factories Act, 1948, are, however, applicable to workers employed in workshops located in the port areas.

12.10.12. As regards the implementation of various provisions laid down in the Dock Workers (Safety, Health and Welfare) Scheme, 1961, the views expressed by employers and workers organisations are divergent. While the Port Trusts and the Dock Labour Boards maintain that the compliance of the provisions is satisfactory, the workers organisations on the other hand are of the opinion that provisions in respect of canteens and other welfare measures have not been fully complied by the major ports, Dock Labour Boards and Dock Employers. Provision of clean drinking water which is an important amenity has not been provided to workers at ports like Bombay, Kandla, Mormugoa and Paradeep. The Central Government has not so far appointed Inspectors to implement the provisions of the above Act nor Dock Labour Boards have appointed any welfare officers to look after the implementation of welfare provisions. In this connection it may be mentioned that the non-compliance of provisions of the Dock Workers (Safety, Health and Welfare) Scheme 1961 according to workers organisations in respect of Bombay Trust has been so glaring that workers had to enter into a separate agreement on 2nd February, 1968 with the Bombay Port Trust. The agreement provides that "Bombay Port Trust and Dock Labour Board will take

suitable action against employers who are found repeatedly violating the provisions of the Dock Workers (Safety, Health and Welfare) Scheme, 1961, including, if necessary, the cancellation of their stevedoring licences and removal of their name from the register of the Labour Board." Ports play an important role in maintaining the life line of economic activity in the country. It is, therefore, necessary to ensure that the provisions of the welfare laws are strictly enforced irrespective of any consideration. We therefore, recommend that **provision of welfare amenities prescribed under the Dock Workers (Safety, Health and Welfare) Scheme, 1961, should be strictly enforced without further avoidable delay.**

Welfare funds for port and dock workers.

12.10.13. Apart from the above Statutory provisions, each Port has Employees Welfare Fund. Labour Welfare Funds operate in all the Dock Labour Boards to provide welfare amenities to dock and port workers outside the work premises including medical, educational, recreational facilities etc. The salient features of these funds are given in the subsequent paragraphs.

Port trust employees' welfare fund.

12.10.14. In pursuance of sub-section (2) of Section 124 of the Major Port Trust Act, 1963, a Port Trust Employees' Welfare Fund has been constituted in each Port. The Welfare Fund is administered by the Chairman of the respective Trust. The Chairman at his discretion constitutes an Advisory Committee for the welfare of the workers. The fund is made up of (i) fines recovered from the employees (ii) contributions as may be sanctioned by the Board from time to time out of the general account; (iii) contributions to any Employees' Provident Fund withheld under the relevant rules regulating it; (iv) the interests and profits on investments belonging to the fund; (v) any other sum or property made out to the fund by way of gift or donation. Expenditure from the funds is generally incurred on scholarships, cash awards for meritorious acts, distress relief in cases of accidents, medical, sports etc. Labour welfare funds, in Dock Labour Boards are made up of the levy charged on monthly basis from the registered employers. The rates at which the present levy is collected from the employers are given below :—

*TABLE I

Sl. No.	Name of Board	Present Rate of Levy in respect of			Welfare Levy
		Monthly workers	Pool workers	Tally Clerks	
1	2	3	4	5	6
1	Bombay	Nil.	105% of the wage rate from 1-4-67.	55% from 1-5-58.	10% of daily wage rate from 1-4-1967.
2	Calcutta	12% on gross wages	145% of gross wages from 1-12-1968.	252% of gross wages from 1-12-68.	9½% of gross wages of pool and monthly workers.
3	Madras	Nil	110% of the presumptive time rate wage from 1-4-1968.	..	40% of presumptive rate wages from 1-4-68.
4	Vizagapatnam	Nil	120% of time rate wages with effect from 1-4-1968.	..	20% of the time rate wages with effect from 1-4-1968.
5	Cochin	Nil	100% of the time rate wages with effect from March, 1968.	100% of time rate wages.	5% of the time rate wages of workers.
6	Mormugao	Nil	100% of the time rate wages with effect from 1-2-1968.	..	10% of total wages of the workers.

12.10.15. One of the questions included in the Committee's questionnaire is relating to the setting up of industry-wise statutory Welfare Funds, on the lines of Coal and Mica Mines Labour Welfare Funds. The Port and Dock authorities and important Workers' Organisations, operating in this industry were asked to give their views on this subject. The Port and Dock authorities generally did not favour the idea of setting up of separate Welfare Funds on industry basis. The Bombay Port Trust has stated that "if legislation is enacted on all-India basis for creating a fund for labour welfare activities in all industrial centres in the country, the Port Trust should be granted exemption from contribution to such funds". The Cal-

cutta Port Trust is of the view that the existing Port Trust Employees' Welfare Fund should continue and as such there is no necessity for creating "a single statutory welfare fund for all the major ports in India." The views received from the workers organisations on this subject are also divided. The All India Port and Dock Workers Federation has opposed this idea on the grounds that the industrial workers including Ports and docks, in some cases are not getting even the minimum wages. It will, therefore, cast financial burden on workers. According to the Federation it should be the obligation of the employer and the State to provide sufficient funds for welfare activities. On the other hand the Indian National

*Source.—Ministry of Labour & Employment, Govt. of India.

Port and Dock Workers' Federation, Calcutta has supported the idea of creating a statutory welfare fund for port and dock workers on the lines of Coal and Mica Mines Labour Welfare Funds. The Federation has further suggested that welfare fund may be created on group basis for similar industries having geographical proximity. The Committee on Labour Welfare examined the above views and also reviewed the existing welfare funds set up by Port Trusts and Dock Labour Boards. The Committee feels that at present the dock and port workers get welfare amenities to a limited extent. These amenities wherever available are not planned properly according to the needs of port and dock labour. In Committee's view the main hurdle is lack of adequate financial resources. If these funds are replaced by the statutory welfare funds on the lines of Coal and Mica and Iron Ore, the workers, apart from getting amenities in a planned and systematic/uniform basis, will be able to enjoy expanded welfare programmes including comprehensive medical care (hospitals and specialised treatment) housing and recreational facilities etc. The financial resources of the proposed fund will increase considerably and the workers will have larger participation in their own welfare programmes. **In the light of the above the Committee recommends that welfare amenities be properly planned on the lines of statutory welfare funds of Coal, Mica and Iron Ore and finances ear-marked and procured. This fund may be administered by a board consisting of the representatives of Port and Dock Stevedores, employees and other interests.**

Existing welfare amenities—A review.

12.10.16. The Committee on Labour Welfare reviewed the existing welfare amenities provided to the port and dock workers, examined the views and suggestions put forward by various port and dock authorities during oral evidence in its tours to various States. Written replies and Memoranda received from (1) All India Port and Dock Workers Federation; and (2) National Port and Dock Workers Federation, Calcutta, were also considered by the Committee.

The details of the existing welfare amenities, on the basis of the material available with the Committee, are given in the following paragraphs:—

Canteens and mess rooms.

12.10.17. All the port trusts have provided canteen facilities to their employees. Generally the items sold at these canteens are on subsidised rates. In the caterer managed canteens or those run by the employees' cooperative societies, items are sold either at 'no-profit-no-loss' basis or at prices, less than the market rate. Canteens at Madras, (only two canteens) Bombay and Cochin ports, remain open round the clock or during all the shifts. The canteens which have been set up in the workshops and at other places remain open only during the day shifts. Although some arrangements exist to cater to the needs of the workers at odd hours but they are inadequate. In the case of caterer managed canteens accommodation, fixtures, furniture etc., are given at a nominal rent of Re. 1 p.m. Electricity and water are made available free of charge by some of the Trusts but certain Trusts do recover charges for these items. At most of the places tea, snacks etc., are served through the vendors at the workplace by trollies. Tiffin rooms have also been provided wherever considered necessary.

12.10.18. The Dock Labour Boards at Bombay and Calcutta are running canteens for their workers which are subsidised. Credit facilities are available to workers in case of Bombay Dock Labour Board alone. Tea and snacks are also served at the workplace through mobile canteens run by the Bombay Port Trust. The Dock Labour Board, Calcutta meets the expenses of canteen, staff salary and accommodation. The Madras Board has constructed a building for running a departmental canteen (accommodating 250 persons) to cater to the needs of port and dock workers including listed labour. In Cochin canteens at 'wharf area' run either by staff cooperative society or by the Union. In addition a canteen is being started in the Board's new building. In the case of Visakhapatnam a canteen run by the contractor is functioning. A building, electricity and water are supplied by the Port Trust free. A canteen run by a contractor, is functioning in Mormugao. The Board provides free accommodation, utensils and furniture. It has been represented to the Committee that almost all the major ports in the country work day and night. In the absence of any adequate canteen facility at night or extra shifts where the canteens do not run round the clock the workers are experiencing great inconvenience. At many ports no restaurants and hotels are located within the convenient distance of workplace. At some ports these facilities are not available to certain categories of dock labour. We feel that it is essential that **canteen facility should be provided to all categories of workers round the clock, wherever it is not available, provided the number of workers is adequate.**

12.10.19. The canteen facility in general is available to workers at port sites. At ports like Mormugao, Cochin, Calcutta and Bombay the Dock workers are required to perform duties in mid-stream or on over-site. So far no attention has been paid to provide canteen facilities to workers operating in mid-stream or over-side who are unable to come to the shore. One of the reasons can be that some Ports might have considered the canteen facilities unprofitable due to limited number of workers operating in mid-stream or on over-side. Nevertheless, the provision of some such facilities for such workers cannot be ruled out. With a view to making this important amenity available to workers, the Committee recommends that **the Port authorities and Dock Labour Boards should jointly, in consultation with workers' representatives, set up floating canteens in order to provide necessary canteen facility to the workers who are unable to come to the shore, provided the number of workers is sufficient and the scheme is viable.**

12.10.20. It has been brought to the notice of the Committee in the written replies as well as in the course of the oral evidence that in certain canteens, the quality of eatables and servicing arrangements are not up to the mark. This complaint is all the more serious in the case of some of the contractors-managed canteens. The Indian National Port and Dock Workers' Federation in its reply to the Committee's questionnaire has stated that "The canteens are provided for fulfilling the employers' legal obligation but the quality of service is not satisfactory and there is no serious attempt from the side of employer to improve the service...." Realising the inherent defect in the working of the contractors' managed canteens the Mankikar Committee also suggested

its replacement by canteens to be run on co-operative basis. This suggestion was made in respect of Madras Port.

12.10.21. In respect of nutritional value of the food and quality of eatables supplied at the canteens, the views expressed by the All India Port and Dock Workers' Federation, Calcutta, are that "the nature of port and dock work is admittedly of arduous nature but the eatables provided at the canteens are of inferior value not fit for workers who are required to perform heavy manual work in the port." The success of the canteens to a greater extent depends on the quality of the items and the way in which they are served. This aspect, therefore, needs greater attention. We, therefore, recommend that **the quality of the items served at the canteens requires improvement and port and dock authorities should pay more attention to the nutritious value of the eatables served in the canteens.**

12.10.22. In the working of the canteens, certain drawbacks have been brought to the light which mainly relate to lack of delegation of financial powers to the persons who manage and run these canteens. In the interest of better management of these canteens and greater facilities to the consumers, it is necessary that suitable delegation of powers be made. The Committee recommends **that to meet the situation delegation or decentralisation of financial powers to the extent possible be effected.**

Medical and family planning facilities

12.10.23. Free medical facilities to the employees and their families are provided by the Port Trusts. Most of the ports have opened hospitals with modern equipment and medical personnel for the treatment of their employees both as indoor and outdoor patients. Arrangements for T.B. Cancer and other serious diseases also exist in most of the ports. Some of the ports in deserving cases, reimburse the cost of the artificial limbs. Calcutta port employees and their families living outside municipal limits are entitled to receive medical treatment at their residence from the private doctor of their choice, if the illness is so serious that the patient cannot go to any of the port's hospitals.

12.10.24. Some arrangements or the other for information, guidance and advice on family planning do exist in most of the ports. Birth control operations and I.U.C.D. insertions, sterilization, vasectomy operations are either done free of charge or the amount so spent by the employees for such operations are reimbursed. Most of the ports have Schemes for starting family planning clinics.

12.10.25. The Bombay Dock Labour Board runs a full-fledged medical dispensary for the benefit of the workers and their families. The workers and their families are eligible for the outdoor and indoor medical facilities including maternity benefits, medical and surgical treatment at the various hospitals of the Board as well as reservation of beds for workers suffering from T.B. as also members of their families. The chipping and painting workers alone are entitled to the outdoor medical treatment. Outdoor medical facilities at the medical dispensary are extended both to the food-grain workers as well as the

members of their families. Arrangements exist for the treatment of diseases like Cancer, T.B., Leprosy, Venereal and Mental. The Madras Board has a dispensary for workers and staff where medical facilities have been extended to the families of Boards employees. These facilities have also been extended to the Casual Workers. There is a provision for reimbursement of medical expenses for expert opinion, special drugs etc. Cases requiring hospitalisation are referred to the nearest Government Hospitals. In Calcutta, the registered and listed workers get free medical treatment at the Boards hospital which has 125 beds including 18 beds reserved for non-infectious T.B. cases. Workers suffering from serious diseases like T.B., Cancer, Leprosy and Mental are given 1½ years leave with *ex-gratia* allowance of Rs. 50 p.m. In addition they are also granted an allowance of Rs. 50 p.m. for a period of 6 months thus making them entitled for 24 months leave if necessary. The family members of workers are given free medical treatment as outdoor patients. An outdoor dispensary has also been opened at Calcutta. There is also provision of rendering treatment to emergency cases round the clock. The Visakhapatnam Board has also opened a dispensary and the medical facilities have been extended to the registered workers and their families. Any expenditure incurred by the workers for the purchase of medicines that are not available in the dispensary is also reimbursed by the Board. The Mormugoa Dock Labour Board is running a full-fledged dispensary for the workers. The medical facilities have not been extended to families of workers. The Board supplies all admissible medicines free of charge, transportation charges in respect of those workers who have to attend the hospital at Mormugoa and Panaji. Medical facilities for the workers/staff and their families on the lines of the Central Services (Medical Attendance) Rules, 1954, are provided by the Cochin Board. A dispensary has also started functioning at Cochin as well. The Kandla Dock Labour Board has been paying Re. 1 p.m. to each worker in lieu of medical facilities. As regards family planning programmes, expenses incurred on family planning such as sterilisation and I.U.C.D. insertions are met by the Bombay Dock Labour Board. Arrangements for vasectomy operations also exist in Calcutta and Visakhapatnam docks. A surgical unit of the District Family Planning Bureau performs sterilisation and I.U.C.D. insertions at Visakhapatnam. Special casual leave for 5 to 6 days is granted to workers in Calcutta and Visakhapatnam Docks respectively who undergo such operations. Realising the value of family planning programmes, we recommend that **high priority should be given to the family planning programme and wherever no Clinics/Centres have been set up efforts should be made to establish separate Clinics/Centres properly equipped with duly qualified personnel to carry out family planning advice and operations.**

12.10.26. Dock workers are exposed to risk of accidents and hazards of disease owing to the varied nature of commodities that they handle. At times, these workers are expected to handle poisonous gases or chemicals, etc., which constitute a danger to their health. In some industries workers engaged on such operations are given free supply of milk and vitamin tablets. This serves two purposes. It increases their vitality so that they are not easily prone to diseases and also helps them to improve their vitality to handle hazardous

work with greater efficiency. Considering all these aspects, the Committee recommends that :—

The protection provided to workers exposed to hazards of occupational diseases under Factories Act should be made available to dock workers also.

Educational facilities.

12.10.27. Educational facilities in the form of education allowance, reimbursement of tuition fees, scholarships are granted to the children of port employees. In the ports like Visakhapatnam and Kandla two primary schools in each Port exist. Ports of Calcutta, Bombay and Cochin provide free accommodation, furniture, electricity etc., to such schools in which the employees' children study. The Calcutta Port Trust gives grant-in-aid in addition to other assistance to such schools. Besides the educational facilities provided by the Port Trusts, the children education allowance on the lines of Central Government is generally given to those employees whose pay does exceed Rs. 349 p.m. in respect of their children between the age of 5 to 18 and the children not staying with their parents. The rate of allowance is Rs. 10 p.m. per child for primary standard and Rs. 15 to Rs. 50 p.m. for secondary classes. The employees whose pay does not exceed Rs. 600 p.m. are eligible for claiming reimbursement of tuition fees. The Bombay Port Trust makes a grant every year of 24 new scholarships of Rs. 30 each per mensem for higher studies leading to diploma or university degree. The Madras Port Trust grants 80 scholarships of Grade I and Grade II each of Rs. 75 and Rs. 50 respectively payable as lump sum annual grants to cover the educational expenses other than tuition fees, of children studying in standards IX to XI and VI to VIII or equivalent standards tenable for a period of three years. Grade I and Grade II scholarships are applicable to the children of those employees whose pay does not exceed Rs. 757 and Rs. 200 p.m. respectively. The Calcutta Port Trust grants two scholarships of the value of Rs. 20 per month to meritorious students every year, who pass the school final examination in the first division. The scholarships are tenable for two years for prosecuting further studies in college. The Cochin Port Trust also grants scholarships to about 100 children of the Port employees in accordance with the schemes drawn by the Port Trust. The Bombay Port Trust has provided accommodation for two primary schools in which the children of the Port Trust employees receive priority for admission. Scholarships varying in number by certain Port Trusts are granted to the children of the employees. Some of the Port Trusts have stated that as the Port Trust Workers are mostly literate there is no need for adult education.

12.10.28. On the lines of the Central Government Scheme, all the Dock Labour Boards give benefit of children education allowance and reimbursement of tuition fees to their employees. Merit scholarships are also granted to the children of the employees at certain docks. The quantum of payment and the period, for which the scholarships are paid varies from dock to dock. These scholarships are granted for higher education and/or studies in technical courses. The Calcutta Board gives Rs. 12,000 per annum to the Water Front Workers' Education Association, Calcutta, for arranging adult education. Workers are allowed free time to attend the classes. The Vishakhapatnam Board is running an adult education centre

for registered dock workers. Reading material (books, etc.), are supplied free. The Marmugoa Board deputed workers for training as worker-teachers under the Workers' Education Scheme and during the training period gang workers and winchmen are paid Rs. 150 and Rs. 175 per month respectively. In the case of Cochin Dock Labour Board, workers are considered 'on duty' during the training period and they are paid duty pay equal to the average of their piece rate earning for the period of one year immediately preceding the month in which they are sent for training. Children education allowance and reimbursement of tuition fees is admissible to un-registered foodgrains workers also, at Kandla.

12.10.29. In case of ports and docks where educational facilities are not available, the workers' children avail the schooling facilities provided by other agencies around the port within the accessible distances. Since the port areas are generally at a distance from the main cities the workers residing in far off areas experience lot of difficulties in sending their children for education. The private institutions in the big cities generally charge high rates of fees. The solution of this problem lies either in the setting up of the schools within the Port premises or by providing transport facilities to the workers' children from the workers' colonies to school and back. We recommend that **where the dock and port workers are residing within the port premises it is for the employers to provide educational facilities to the employees' children. Where schooling facilities are not available within the convenient distance for the children of workers the Port authority should either consider the setting up of schools or should ensure that adequate transport facility is available to them.**

12.10.30. A review of the adult education programme in Port and Dock industry shows that the adult education is not very popular due to variety of reasons. The Committee recommends that **the workers should be offered suitable incentives by the Dock Labour Boards/Port Trusts in order to popularise adult education.** The incentives may include some free time from the duty hours, promotional opportunities, cash awards, certificate of merit, etc.

Recreational facilities.

12.10.31. All the port trusts have made provision for recreational facilities for their employees in varying degrees. The Bombay Port Trust Club, and the Revenolds Institute of Bombay provides facilities for indoor and outdoor games. An amount of Rs. 15,000 has been sanctioned by the Port for the provision of recreational facilities such as reading room, music, drama, tournaments, etc. These facilities are provided free and financed by the administration. The Madras Port Trust runs a staff institute which receives an annual grant of Rs. 4,000 from the Trust. The Welfare club receives an annual grant of Rs. 3,000. Grah Kalyan Kendra imparts training to the family members of the employees in tailoring, embroidery, etc. The Calcutta Port Trust maintains a recreational institute. At Visakhapatnam Port, Gymkhana Club and two more clubs provide cultural and recreational facilities for the workers. Also a separate ladies' club is functioning for the benefit of the families. A staff club at Cochin port provides indoor and outdoor games. Rent free buildings and a recurring donation of Rs. 1,500 per annum is given to the Club by the Trust. It is

administered by the Welfare Sub-Committee. At Mormugoa, a cultural centre subsidised by the Trust, caters to the welfare and recreational needs of the employees. In Kandla Port there are three Staff Clubs which provide facilities for indoor and outdoor games for the workers. These Clubs receive grants out of the Employees' Welfare Fund set up by the Port Trust.

12.10.32. The Dock Labour Boards provide recreational facilities to their employees, in one form or the other. These facilities include newspapers in various languages, reading room, in-door and out-door games, tournaments, athletic meets, etc. Certain Dock Labour Boards have formed recreational clubs for the workers.

Housing facilities.

12.10.33. All the Port Trusts have provided housing facilities to their employees. The house provided varies from port to port. The Bombay Port Trust has provided residential family quarters to 11.44% of its Class III and IV employees. About 4.7% of the total number of workers live in dormitories and are not charged any rent. They pay 10% or 7½% of their emoluments or standard rent assessed or concessional rent whichever is less. The Calcutta Port Trust has provided quarters to 28.75% of its Class III & IV employees. Class IV employees are not charged any rent. In Visakhapatnam Port 9% of the workers are covered under the housing scheme. The Trust charges standard rent or 7½% to 10% depending upon different scales of pay whichever is less for these housing units. Cochin and Mormugoa Port Trusts have constructed a few housing units of different types. In Cochin 8 to 9% workers have been provided with quarters and Mormugoa Port Trust have succeeded in providing accommodation to 135 of its employees. In Kandla 50% of the staff have been provided residential accommodation, rent for which is charged at the Central Government rates. Viewed from the number of workers employed in the Port industry, the present housing accommodation provided by Port Trust is rather inadequate. The Port authorities were committed to provide 40% of their employees with housing facilities before the end of 3rd Five Year Plan. Most of

the Port authorities so far have not been able to achieve the desired target.

12.10.34. At the instance of the Planning Commission the housing scheme for dock workers was drawn up in 1964 in consultation with the Ministries of Works and Housing and Finance for providing housing facilities to the registered workers of Dock Labour Boards. Under this Scheme, the Boards can get financial assistance from the Central Government in the shape of subsidy at 20% and loan at 35% of the actual cost of construction or of the ceiling cost fixed under the Subsidised Industrial Housing Scheme for industrial workers from time to time, whichever is less. The question of extending the Subsidised Housing Scheme for industrial workers to the dock workers was under consideration for quite a long time. According to the latest information, the Planning Commission, however, did not agree to the proposal but agreed that a separate Housing Scheme for Dock workers might be drawn up on the basis of the following:—

- (i) The resources for housing of the Dock Labour should primarily be raised by the Dock Labour Boards from their Provident and Welfare Funds. The Provident Funds could be invested exclusively in Central Government Securities so that additional money becomes available. The Welfare Funds which were constituted by the imposition of a levy on stevedores could be supplemented by increasing the amount of levy.
- (ii) If necessary, Government will give assistance in the shape of subsidy of about 15 to 20% and loan of about 35% of the cost of construction.

A separate Housing Scheme for Dock Workers has since been drawn up in consultation with various interests concerned. During the Fourth Plan period an allocation of Rs. 2.5 crores has been proposed to be spent on housing facilities of the workers. The table below gives an idea about the amount sanctioned to each Dock Labour Board as loans and subsidy separately, the number of quarters constructed and the number of houses under construction.

*TABLE II

Name of the Board	Year of sanction	Amount sanctioned		Tenements already constructed	Tenements under construction
		Loan	Subsidy		
1	2	3	4	5	6
1. Madras	1963-64	1,82,700	1,04,400	..	60
	1965-66	2,45,700	1,40,400	..	..
	1966-67	1,22,850	70,200	240	..
2. Calcutta	1964-65	7,40,880	4,23,360	288	96
3. Bombay	1965-66	9,05,520	5,17,440	560†	..
	1967-68	2,71,656	3,88,080	352‡	..
4. Visakhapatnam	1967-68	24,640	..	..	64
	1968-69	36,960	17,600	..	..
5. Mormugao	These Dock Labour Boards have programme to start the construction of 100 houses each during the year 1969-70.				
6. Cochin					

*Source.—Ministry of Labour and Employment, Government of India.

†The Bombay Board has already constructed 560 tenements from its own fund exclusively for its workers.

‡352 houses under the Scheme are just being completed.

12.10.35. It is a common knowledge that in the absence of proper housing arrangement, workers are put to lot of inconveniences, financial or otherwise. Considering this aspect, a special emphasis was laid by the Mankikar Committee when it suggested that urgent steps to acquire suitable land for the construction of housing colonies etc. be taken by the Dock Labour Boards. The situation has not improved till then and the housing facility is very inadequate when viewed from the large number of Port and Dock workers. In as much as these workers are not able to get benefits of the Industrial Subsidised Housing Scheme as being enjoyed by their counter-parts in other industries.

12.10.36. The Dock and Port areas are generally protected areas where the entry is regulated and restricted. Some of the ships terminate at very odd hours. The Ports in the country—with exceptions like Mormugoa are generally in big cities. Housing is always a problem in such cities. It is very difficult for a worker to pay high rents for housing in metropolitan cities, more so when his major expenditure is on food stuff, etc. The present quantum of housing facilities given to port and dock workers is inadequate. Housing programme needs to be speeded up and augmented. The difficulty in acquisition of land near the Port has been fully appreciated by the Committee but it still feels that housing programme should be given priority and the Government should also extend the benefits of the Subsidised Industrial Housing Scheme to these sections of workers. With a view to augmenting the housing programme for Dock and Port workers we recommend the following steps:—

(a) As ports and dock administrations work needs very close collaboration and liaison with each other and premises also happen to be the same, the Port Authorities and Dock Labour Boards should jointly undertake to provide subsidised houses to all the workers, in the shortest possible time.

(b) The Dock Labour Boards for the provision of housing facilities may be empowered to collect adequate levy from the stevedore employers.

(c) Central Government should pay adequate housing subsidy to finance various housing Schemes.

(d) Concerned State Governments may also arrange wherever feasible for the land so that housing colonies can be constructed in areas adjacent to Ports and Docks and for the construction of houses, extent of loans may also be suitably increased.

(e) The Port and Dock Workers are not covered under the Subsidised Housing Schemes for industrial workers. The Committee recommends that the definition of "workman" as given in the Industrial Disputes Act may be suitably amended so as to include Port and Dock workers also.

Fair price shops/consumer stores/cooperative credit societies.

12.10.37. All the Port Trusts have set up Consumers' Cooperatives Societies which are financed either by the employers or by the employees or both. The assistance provided comprise mainly of accommodation on a nominal rent of Re. 1, free water supply and electricity. At certain places telephones and fans have also been

provided. Share capital, managerial subsidy and loans as working capital in varying amounts are given to these societies. The articles sold at these societies *inter-alia* are rawa, rice, maida, wheat, flour, sugar, kerosene oil etc. Some of the Trusts sell these commodities at a nominal profit varying from 1½% to 5% and at other places these items are sold at 'no-profit no-loss' basis. In Bombay Port Trust there are six registered Co-operative Consumers' Stores in the port trust labour settlements and two registered Cooperative Consumers' Stores run by the two Labour Unions at Mazagaon and Carnac Bunder. The Port Trust assistance comprise mainly of accommodation on a nominal rent of Re. 1. Free water and electricity supply, working capital loan to the extent of Rs. 10,000 if required and furniture and fixtures costing about Rs. 3,000 are also provided. At Madras one Consumers' Co-operative Store and a Co-operative Credit Society have been formed. At Calcutta there are two registered Consumers' Co-operative Societies for the Port employees. The Calcutta Port Sramik Cooperative Stores run two Employers shops and one retail shop dealing with the rationed commodities. The Co-operative Stores also run 5 Consumers' Stores selling essential commodities other than rationed articles. The Commissioners have sanctioned the following monetary assistance with a view to encouraging formation of Consumers' Co-operative Stores in or near the Commissioners' Staff quarters.

- (1) Share capital participation to the extent of Rs. 2,500 on a matching basis, repayable in 15 years.
- (2) Managerial subsidy of Rs. 900 in the first year, Rs. 600 in the second year and Rs. 300 in the third year.
- (3) Loans upto Rs. 10,000 for working capital on 3% interest per annum.
- (4) Besides, accommodation has been provided on nominal monthly rental basis. Lights and fans also have been provided free of charge by the management.

In addition, there is a Cooperative Credit Society functioning at Calcutta port. It has arrangements for receiving saving deposits from the employees. Management has also provided free accommodation to this Society. Facility of recovering dues by deductions from the salary bills is also extended.

12.10.38. A Consumers' Cooperative Store is run by the Visakhapatnam Port Trust in the residential colony to supply certain articles of food and clothing to the employees. Facilities for credit are given to such employees who are members of the Society and recoveries are effected from their salary bills. At Cochin one Consumers' Co-operative Store is functioning. Variety of items are sold including foodgrains, pulses, cooking articles, grocery etc., on cooperative basis. Accommodation is provided at a nominal rent of Re. 1 p.m. The port gives transport facilities at the concessional rates. The Kandla Port has two Consumers' Co-operative Stores. A Cooperative Credit Society is also functioning at Kandla Port.

12.10.39. Among the Dock Labour Boards, Bombay has larger activities in the field of cooperative movement. It has extended necessary facilities to the workers Cooperative Society to

open Fair Price Shops/Consumers' Co-operative Stores in the housing colony of the workers. In addition there are two Cooperative Credit Societies one of them is run by the workers' organisations while the other is run by the Class III and IV employees. The Cochin, Visakhapatnam and Madras Boards are also running Cooperative Stores and Fair Price Shops. In Madras and Mormugoa Workers' Union are running Cooperative Stores and Fair Price Shops. The registered workers of the Calcutta Board have started a cooperative credit Society. There exists a Cooperative Credit Society in Calcutta for Dock workers.

12.10.40. From the foregoing review it may be seen that in the case of Cochin and Visakhapatnam only the facility of Fair Price Shops is available to workers. Cooperative Credit Societies except in the case of Bombay and Calcutta, have not been set up elsewhere. The facilities of Cooperative Credit Societies or Stores are not—uniformly available to Port workers at each Port. There appears to be a need for the expansion of co-operative efforts in the Dock and Port areas so that workers may derive full advantage from these institutions. This is only possible through the concerted efforts of all parties concerned. We feel that the **State Government, Employers' and Workers' Organisations should take necessary steps for setting up Cooperative Societies in Dock Areas/Housing Colonies wherever practicable and feasible.** The need for cooperative institutions in the context of rising prices hardly requires any emphasis.

Transport Facilities

12.10.41. Mostly port employees use public transport, trams, buses, motor-boats and country-boats. Some of the Port Trusts have made the provision of Ferry services for the workshop staff. At other places, provision for transport between the vessels and call stands, that too at the prominent residential areas in neighbourhood has been made. At some of the ports employees are entitled to Railway passes. The Port in Calcutta provides ferry service from the west bank to the east of the river Hoogli and charges Rs. 6 per head per month. By and large the Port authorities do not have any arrangement for transport of employees to the work-place and back. Roofed cycle sheds/stand free of charge have, however, been provided at certain ports.

12.10.42. The transport facilities in the case of Dock Labour Boards is almost non-existent. Only the Mormugoa Dock carries workers from the shore to ship either in the barges or launches provided by the s'avedores. The Cochin Dock Labour Board is paying 20 paise per day as 'boat money' to its employees in lieu of the facility. In view of the acute housing problem a large number of Port and Dock workers are staying far away from the place of work. The need for the provision of free transport to this category of workers was also emphasised by the Chaudhuri Committee in 1956-57. It was suggested by this Committee that the Port and Dock workers who are not provided with residential quarters near the place of work and are required to undertake long journeys should be provided with transport by the employers. The Mankikar Committee in its Report submitted in 1965 to the Government of India also pointed out the inadequate arrangements, available for transporting workers. The Committee also suggested

improvement over the existing transport arrangement. The All-India Port and Dock Workers' Federation in its memorandum to the Committee has highlighted the difficulties experienced by the workers in the absence of housing facility near the work-place and due to non-availability of any suitable transport arrangements. According to the Federation a large number of workers at the Ports of Bombay, Calcutta, Paradeep and Kandla are required to travel long distances in some cases more than 30 miles everyday to reach their place of work and to travel similar distance after completion of work. As a result the workers are put to great inconvenience. We recommend that **the provision of transport to its workers where normal transport facilities are not available is the responsibility of the employers. The employer should make necessary arrangements in consultation with the appropriate transport authorities.**

Creche.

12.10.43. Creche facilities are non-existent in the port areas. The number of women employees in some Trusts varies from 350 to 500. The Port Trusts have not provided any creche facility because the women work at scattered places and the necessity for providing such an amenity has not been felt.

P.T.O. Facilities

12.10.44. The Bombay, Calcutta and Madras Dock Labour Boards have extended the P.T.O. facilities to their workers. This facility has also been extended to the families of workers in case of Bombay Dock Labour Board. In Madras the employees and their wives are eligible to avail of this concession.

Call stands.

12.10.45. The Boards have provided call stands where the reserved pool workers are booked.

Distress relief and cash benefits.

12.10.46. Provision of relief in cases of distress like death, injury, sickness, old-age, invalidity, natural calamities etc. exist for port workers. Non-Contributory Provident Fund and Death-cum-Retirement Gratuity Scheme are also in existence at certain ports. Distress relief is granted out of the Welfare Fund. The Commissioners of Port give a loan not exceeding six times the monthly basic pay or Rs. 300 whichever is less to its pensionable employees. Flood relief is also granted which is recovered in equal monthly instalments. Rs. 100 are given in the case of the death of the dependent of the employees. Festival advance is granted to the employees drawing a pay of Rs. 300 in the case of Bombay Port and Rs. 375 in Calcutta Port and is recovered in easy instalments. In the case of Cochin and Madras Port, Central Government Rules are followed in this respect. This advance is generally given once a year.

12.10.47. With the exception of Mormugoa all the Dock Labour Boards have provided distress relief and cash benefit schemes. The Bombay Dock Labour Board provide festival advance on two festivals like Divali and Ramzan. The Cash Benefit Scheme at Calcutta Dock is restricted only to the *ex-gratia* payment of Rs. 100 to cover cremation expenses at the death of the employees. The Cochin Dock Labour Board gives Rs. 500 to the dependent of the deceased as a relief in the

case of death due to accident while on duty. In addition, the dependents of the workers receive an amount of Rs. 1,700 on death of the worker in case the worker was contributing towards Death Benefit Scheme sponsored by the workers. Festival advance of Rs. 100 per year is given without interest which is recovered in easy instalments. Keeping in view the hazardous nature of work in the Dock and Port industry and the practices of cash assistance followed by different ports and docks in distress, we feel that it is essential to have a sound scheme of distress relief. We, therefore, recommend that a scheme may be evolved to provide distress relief and cash benefits in the event of death, injury, sickness etc.

Contract and casual workers.

12.10.48. Both contract and casual labour are engaged in Port and Dock industry along with the departmental workers. Although the number of contract workers is small but the casual worker is quite substantial. The amenities provided to these workers compare unfavourably with other workers. The contractor and casual workers who in fact supplement the departmental worker should be provided with welfare amenities. The Committee, therefore, recommends that the welfare amenities like medical, education, drinking water, canteen and rest and recreational facilities which are essential should be provided to all workers including casual and contract workers on the same footing as are being made available to departmental (registered and regular) workers.

WELFARE AMENITIES FOR BANK EMPLOYEES

Introduction

12.11.1. Banking industry has made spectacular progress since 1951. The number of scheduled bank Offices registered more than two fold increase, from 2647 at the end of 1951 to 6780 by the end of 1967. The total number of employees in Commercial Banks alone increased from 79,000 in 1956 to 1,84,000 in 1967. The following table gives the rise of banking institutions and the number of employees since 1951.

Number of offices and employees of scheduled banks in India*

Year	Number of Offices of Scheduled Banks	Number of bank employees
1951	2,647	..
1956	2,966	79,000
1961	4,390	1,15,000
1963	5,004	1,34,000
1964	5,499	1,44,000
1965	5,902	1,56,000
1966	6,380	1,70,000
1967	6,780	1,84,000

In the case of Nationalised banks employees in the Reserve Bank of India registered an increase from a total of 10,800 in 1961 to 16,600 in 1966. The number of employees in State Bank and its subsidiaries rose from 34,000 to 68,000 during the same period. The total employment in public and private sector of banking industry was estimated at over 2½ lakhs² in 1967.

Existing Welfare Amenities

12.11.2. Welfare amenities to employees in the banking industry are provided through (1) efforts of employers *suo moto* (2) *bi-partite* settlements and (3) adjudication awards. The Committee, in order to ascertain the extent and scope of welfare amenities currently available to bank employees and shortcomings or inadequacies, if any, in the provision and administration of these facilities, issued its Questionnaire to a large number of bank managements, Employers' Organisations and Workers' Federations. A list of the responding Units is contained at Appendix IV(1).

12.11.3. Information given by these responding Units reveals that bank employees mostly get cash allowances in lieu of facilities in kind, in addition to medical attention, canteens, mess rooms, fair price shops, consumers' cooperative stores, housing, transport, recreational facilities, distress relief, and cash benefits. Generally these facilities have been provided by the Bankers' of their own accord in varying degrees according to their capacity. Some of the banks have also set up Welfare Funds to provide welfare amenities to their employees. Employees' Unions too have organised certain welfare amenities such as Fair Price Shops, Consumers' Cooperative Stores and Credit Societies for the benefit of their members.

12.11.4. Since October, 1966 the practice of paying certain cash allowances to bank employees has been introduced as a result of *bipartite* settlements. These allowances are house rent allowance, washing allowance, hill allowance, fuel allowance and water allowance. Leave Fare Concession and uniforms are also provided as a result of these *bipartite* settlements. In matters of welfare amenities to bank employees, the industrial tribunals have settled issues relating to medical aid and reimbursement of expenses.

Health and Medical Facilities

12.11.5. Following industry-wise *bipartite* settlements employees in 'A' Class commercial banks in area I, II & III receive Rs. 135/-, Rs. 90/- and Rs. 75/- respectively in each calendar year. In case of 'B' Class banks for area I, II & III a sum of Rs. 113/-, Rs. 75/- and Rs. 60/- is paid respectively. Employees in 'C' Class banks receive in area I, II & III Rs. 80/-, Rs. 54 and Rs. 40/- respectively. The employees of the State Bank of India get annually an amount of Rs. 135/-, Rs. 115/- and Rs. 100/- in area I, II & III respectively. These facilities, however, do not include supply of dentures, spectacles, hearing and other aids free of charge.

12.11.6. On the basis of the replies received from bank managements it has been observed

*Source.—Page 1 of the Statistical Tables relating to Banks in India, 1967—published by Reserve Bank of India, Bombay.

2. Source.—Paper on Labour in Banking Industry prepared by the National Commission on Labour.

that in addition to cash allowance, some of the banks have provided dispensaries with medical personnel. Medicines are supplied to the employees from these dispensaries free of cost. In case of some banks doctors pay frequent visits and treat members at the banks expenses. Arrangements also exist in certain banks for hospitalisation in case of an emergency.

12.11.7. The State Bank of India have appointed doctors to treat the sick employees at their residence. Patients are referred to specialist on the advice of the bank's retaine doctor. In deserving cases reimbursement is made over and above the prescribed limit.

12.11.8. The Reserve Bank of India has its own well equipped dispensaries at big commercial towns. At other centres the bank has made arrangements with local Medical Officers for supply of medicines from their dispensaries to its employees. Dispensaries have also been opened in staff colonies of the banks. These dispensaries supply medicines free of cost and expenditure on such medicine which are not stocked in the dispensaries is reimbursed without any upper ceiling whatsoever. The employees are also given suitable cash payments to compensate for the consultation charges of specialists, at the recommendation of the authorised medical attendants of the bank. The family members of the Staff are also allowed to avail themselves of the medical facilities at these dispensaries, at subsidised rates.

12.11.9. Comprehensive arrangements for hospitalisation of employees and their families have also been made by the banks. Beds have been reserved at certain centres in Government/Municipal Hospitals and all the charges incurred by the persons eligible to receive benefits of medical aid, in the hospitals, are borne by the bank. Charges for indoor treatment in providing medicines at rates commensurate with recognised hospitals at certain centres are also reimbursed. Treatment for T.B. to employees and their families is also arranged free of charge by the bank.

Canteens and Mess Rooms

12.11.10. On the basis of the information available with the Committee canteens and mess rooms have been provided at the Head Offices of the banks generally located in big cities and towns. Some of the banks have stated in their replies that the canteen facilities cannot be provided on account of paucity of space. Wherever provided, canteens are run by Managing Committees or by contractors. Subsidy is provided by way of meeting the salaries of the canteen employees. In some of the branch offices established in small towns and villages Mess Room facilities have been arranged instead of regular canteens.

12.11.11. In the case of Reserve Bank canteen facility has been provided at almost all the Centres, subsidised by the Bank. Free accommodation, electricity and water is given by the bank besides expenditure on furniture. Special subsidy is also given on recurring charges.

Housing Facilities

12.11.12. With the exception of the Reserve Bank of India, by and large, very little attempts have been made by the banking industry to

provide houses to their workers. It may be because of the fact that the banking institutions are generally located in urban and semi-urban areas. Instead of constructing housing colonies the banks have preferred the practice of giving house rent allowance to their employees. In the case of Reserve Bank housing accommodation has been provided at Bombay, Calcutta, New Delhi, Madras, Nagpur and Kanpur.

12.11.13. All full time workmen of the Commercial banks are paid house rent allowance in (1) 'special places' and 'other places' on the basis of their pay scales; and (2) project areas at fixed rate basis. The house rent allowance varies between Rs. 9/- to Rs. 25/- p.m. The clerical and cash department staff of the State Bank of India get house rent allowance ranging between Rs. 12/- to Rs. 28/- p.m. according to specified places.

Educational Facilities

12.11.14. Banks have not set up any schools for the employees' children. The practice of granting scholarships to the workers' children has, however, been prevalent though it differs from bank to bank. These scholarships are generally granted out of the Staff Welfare Fund. Where free education is provided by the State Governments some of the banks give cash allowances to their employees for the purchase of books for their children.

Recreational Facilities

12.11.15. Recretational facilities have been provided by most of the banks. Clubs wherever set up are run by contributions from employees and the bank managements. The managements are giving furniture, accommodation and making annual grants for the running of the clubs. In case of banks where there is a Staff Welfare Fund recreational facilities are financed through it. The facilities provided at such clubs include dramas, games, sports and musical programmes.

Distress Relief and Cash Benefits

12.11.16. One month's basic pay or advance from the Provident Fund or Benevolent Fund in the event of distress such as death, serious illness, injury, etc., is given. Most of the banks pay festival advance on important festivals to their employees. Some of the banks are paying salary in advance a few days before the commencement of the festivals. The amount paid to employees as festival advance varies from bank to bank and ranges between Rs. 50/- to Rs. 100/- recoverable in easy instalments

Fair Price Shops/Consumer Cooperative Stores/ Credit Society/Housing Society

12.11.17. Very few banks have opened fair price shops. Wherever such shops have been opened they are managed by the employees themselves, either as departmental stores or on cooperative lines. In the case of cooperative stores employers are assisting in the functioning of these stores by providing advances in the shape of working capital. The managements are also extending assistance in making cooperative credit societies a success in matters of realisation of loans taken by their employees from these societies. At some places workers cooperative

housing societies also exist. Employers have provided loans for the purchase of lands and buildings.

Saving Facilities

12.11.18. Being banking institutions the employers have extended the facility of accepting Saving and Fixed Deposits from their employees at a higher rate of interest than the one usually given to general public.

Holiday Homes

12.11.19. One of the banks namely United Bank of India has set up a Holiday Home at Puri for the benefit of its employees. The Holiday Home is managed by the Employees' Cooperative Society. Some of the other banks provide leave fare concessions to their staff and their families for visiting places upto a distance of 800 kms each way, once in three years, for rest and recreation.

Voluntary Welfare Fund

12.11.20. The State Bank of India constituted in 1958 a Staff Welfare Fund at circle level. The Fund so created is utilised for (i) promotion of canteen facilities (ii) provision of libraries and reading rooms (iii) encouragement of indoor and outdoor sports and games (iv) promotion of cultural activities (v) improved medical facilities, reservation of beds in hospitals and sanatoria and (vi) educational facilities. Financed out of the profits of the Bank the administration of the Fund has been entrusted to a *bipartite* Welfare Committee organised at Head Office and Branch level. The Head Office Welfare Committee is expected to organise, conduct and supervise the welfare activities in the individual banks. The Welfare Committee is also charged with the responsibility of ensuring that the Funds are properly utilised.

12.11.21. Apart from the Welfare Fund set up by the State Bank of India some other banks have also constituted the Staff Welfare Fund and Benevolent Fund to finance the welfare amenities for their employees.

Suggestions for Improvements in Welfare Amenities

12.11.22. A number of suggestions have been given by the responding parties in connection with the welfare amenities available to bank employees. Some of the important suggestions are (1) Shops and Commercial Establishments Act be amended to provide for certain minimum welfare facilities like urinals, drinking water, etc., in the case of banking institutions; (2) canteens should be provided statutorily in banking establishment employing more than 150 workers, and (3) welfare facilities like housing creche, fair price shops, co-operative credit societies, transport arrangements and family planning advice on voluntary basis by the banks.

12.11.23. Taking into consideration the welfare amenities currently available to bank employees as also the cash allowance which they receive we feel that, by and large, bank employees are better off as compared to workers employed in manu-

facturing, mining and plantation industries. A good number of welfare amenities or cash benefits have been secured as a result of collective bargaining largely because a bank employee is ordinarily more literate, and is better organised and believes in the efficacy of effective trade union practices in the matter of collective bargaining. It is only in the case of social security benefits that the bank employees are comparatively at a disadvantageous position. The need for social security measures to bank employees cannot be over emphasised. It is, therefore, essential that social security benefits should also be made available to employees in the banking industry as and when a National Social Security Scheme is introduced in the country.

Welfare Funds for Bank Employees

12.11.25. Some of the Employees' Organisations operating in banking industry suggested to the Committee creation of a Welfare Fund for providing amenities to bank employees outside the work premises. Such a Fund may be financed through tripartite contributions from Employers, Workers and the Government. Unclaimed wages lying undisbursed with the banks might also be utilised for the purpose. The Indian Banks Association on behalf of banking institutions affiliated to it, has not favoured the proposal due to a variety of reasons. Prominent amongst these are (1) paucity of space and accommodation for organising recreational and cultural activities; (2) employment of a handful of persons in one or two banks in smaller cities does not justify creation of separate Fund and (3) scattered nature of bank employees.

12.11.25. The Association has, however, stated that should such a Fund be created by levying any cess on the banking industry, this Fund should be spent on providing such welfare amenities, as library and reading rooms, outdoor and indoor games, cultural activities, medical and health care and educational facilities.

12.11.26. A review of the existing welfare amenities shows that the bank employees who are mostly non-manual workers and are well organised in trade unions are being, with few exceptions, looked after well in the matter of welfare amenities. We are, therefore, of the view that the existing welfare amenities available to bank employees are by and large satisfactory. The need for providing better and more welfare facilities, if any, may be left to collective bargaining. The workers in Banking Industry, however, be entitled to receive the benefits of the comprehensive National Social Security Scheme as and when it is introduced.

MUNICIPAL BODIES

Introduction

12.12.1. The total number of workers in local bodies in 1961 was 11.73 lacs.¹ The strength of the conservancy staff namely sweepers and scavengers² whose welfare has been discussed in this Chapter was in the neighbourhood of 8 lakhs that is about 68% of the total employment in muni-

1. P-35 (Appendix-II) Employment Review, 1961-66—D.G.E.&T.

2. The Committee was set up by the National Commission on Labour to study the working and service conditions of sweepers and scavengers preferred to call these workers as 'Safai-Sevikas' and 'Safai Sevaks'.

cipal bodies. Essentially backward, illiterate and ill-organised, the conservancy staff is responsible for the maintenance of sanitation and environmental hygienic conditions specially in urban areas. It is a paradox that though conservancy staff has been performing the most essential and basic public utility service they have themselves to suffer from considerable social handicap.

Laws Governing Welfare of Municipal Workers

12.12.2. Service conditions of the employees working in the municipal bodies are governed by laws passed by various State Legislatures and rules and regulations framed thereunder. These rules have been further supplemented by the municipal bye-laws enacted by municipal bodies as per requirements and conditions prevalent in local areas. Most of the welfare amenities provided to workers particularly to the conservancy staff are the result of municipal bye-laws and depend mainly on the financial resources of the municipal bodies.

Review of Working Conditions and Welfare Facilities available to Municipal Workers

12.12.3. The poor conditions of work and the meagre amenities available to conservancy staff have been receiving the attention of the Central and State Governments from time to time. The Labour Investigation Committee discussed their conditions of work. It was followed by 'Barve Committee' set up by the Government of Bombay in 1949.

12.12.4. Subsequently in 1957, the Government of India appointed a Scavengers Living Conditions Enquiry Committee under the Chairmanship of Professor N. R. Malkani. Thereafter, the Social Welfare Team (headed by Mrs. Renuka Ray was set up by the Planning Commission in 1958), and a Special Working Group on Co-operation for Backward Classes 1961 were appointed to review the working conditions of conservancy staff, in particular. All these Committees/Social Welfare Team specially Malkani Committee made far-reaching recommendations to ameliorate the living and working conditions of the conservancy staff. Malkani Committee suggested the removal of practice of carrying night soil on head or waist-loads. It also recommended for the use of standardised scraper to be supplied by the municipal bodies encouragement of the use of boots and rubber gloves, use of mechanical equipments like tractors, trailers, vans and vehicles etc. for transportation of night soil and town refuses, conversion of latrines into flush, wherever possible, and septic tanks latrines in non-sewered areas.

12.12.5. The recommendations of all these committees did not result in making any appreciable improvement in the living and working conditions of municipal workers specially conservancy staff. According to a Committee set up by the National Commission on Labour (1967) the conservancy staff of municipal committees has been denied the benefits of various labour legislations such as Workmen's Compensation Act, 1923, Employees' State Insurance Act, 1948, Employees' Provident Fund Act, 1952 and Maternity Benefits, Act, 1961.

Medical and Health Facilities

12.12.6. The replies received to the Committee's questionnaire and oral evidence tendered before it indicate that bigger municipalities and corporations have got their own arrangements of medical and health facilities. Some of these also provide Ayurvedic and Unani System of dispensaries under the charge of trained medical and para-medical staff. Some municipalities reimburse medical expenses to their employees and others pay a consolidated amount of Rs. 50/- per year towards medical expenses. Some of the municipal corporations/municipalities also maintain child and maternity welfare centres.

12.12.7. In the cantonment boards, free medical facilities, in most cases, are made available to workers through cantonment board dispensaries and hospitals. Wherever these do not exist arrangements are made in local, civil or military hospitals for the treatment of workers. In cases of serious ailments requiring specialised treatment, the patients are sent to specialists and the cost is borne by the cantonment boards. There are no maternity wards and child welfare centres in cantonment boards and wherever possible, maternity cases are treated in the cantonment general hospitals only.

Family Planning

12.12.8. Appreciable number of municipal dispensaries do not seem to have special arrangements for giving advice on family planning. Notable progress has been made in cantonments, in some municipalities and corporations. We feel that all municipalities, who have not so far developed effective family planning programme, should take immediate measures to carry out intensive family planning activities and integrate this programme with their medical and health arrangements.

Protective Equipment and Carriers

12.12.9. The practice of carrying refuse exists to a large extent. It is surprising that even after the acceptance of recommendations of Barve Committee, 1949, Malkani Committee, 1957, and the Social Welfare Team headed by Mrs. Renuka Ray set up by the Planning Commission in 1958 and the findings of some other Committees, this primitive and unhygienic practice still continues. These Committees recommended the supply of wheel barrows, trollies and gloves, gum-boots and other protective clothing to conservancy staff. To our dismay these recommendations have also not been fully implemented by a very large number of municipal bodies despite the financial assistance offered to them for the purpose.

The Committee, therefore, recommends that the State Governments should ensure that the municipal bodies take effective steps to implement the above recommendations and put an end to the primitive and unhygienic practice of carrying night soil head-loads without further delay.

Canteens

12.12.10. We do not propose to give any specific recommendations regarding the minimum

3. The full name of this Committee was Scavengers Living Conditions Enquiry Committee.

number of employees for whom a canteen must be provided by a municipal body. We, however, hope that municipal bodies would not hesitate to provide this important amenity to their workers wherever a sizeable number of workers demand that a canteen be opened. The authorities should help the workers organise such canteens on co-operative lines by providing facilities like free accommodation and also by giving managerial subsidy.

Creches

12.12.11. A large number of conservancy workers are women. Even at places where women are not directly employed by municipal bodies/corporations, they supplement the income of their families by working as conservancy staff privately. They generally leave their homes in the early hours of the day and come in the afternoons. Out of sheer necessity, they have either to carry their children with them in filthy conditions of work or leave them behind under the care of their elder children. This has two shortcomings. The tiny-tots are left to the care of their immediate elder ones who are themselves not mature and trained enough to look after the younger ones. On the other hand they themselves are not able to go to the schools because they have to look after their younger ones. The Barve and Malkani Committees had recommended the establishment of creches for the children of women conservancy workers. According to the information available with the Committee, this recommendation has been implemented by very few municipal bodies.

12.12.12. The importance of creche in the case of conservancy workers can hardly be emphasised. In the order of priorities, it perhaps comes next to housing only. From the responding units, we find that some of the Municipal Corporations have provided creches in sweepers' colony. It is, however, generally believed that the facility of creche is mostly conspicuous by its absence. We therefore, strongly recommend that creches should be provided in colonies generally inhabited by municipal employees, including sweepers and scavengers, where at least fifty families are residing and where such facilities are not available.

12.12.13. In our chapter on creches for factory establishments, we have highlighted the importance not only for the provision of a creche but also the role that a well-maintained creche plays in the proper growth of the children of the working mothers. A creche loses its utility unless it is properly maintained. It is, therefore, necessary that, wherever a creche is maintained, suitable arrangements should be made to supply milk and eatables in clean environment to workers' children. They should also be provided with clean clothes and given pre-primary education between the age of three to six.

Housing

12.12.14. The Barve Committee had made detailed recommendations with regard to improvement in housing conditions for conservancy workers. The Malkani Committee went a step further. It described provision of housing as the first and foremost requirement for effecting improvement in the living conditions. This Committee stated that provision of suitable housing is not only an amenity but an absolute necessity.

The stress laid by these two Committees on housing was also reiterated by the Study Team on Social Welfare headed by Mrs. Renuka Ray.

12.12.15. The information collected by this Committee indicates that very few municipal bodies seem to have given emphasis to the provision of housing specially for their conservancy staff. A vast majority of the workers are without houses. Some municipal bodies give house rent allowance while some others provide housing schemes and loans and advances from Provident Fund or even otherwise. Plots are also given on concessional rates on hire-purchase-basis. Some of the municipalities have formed Housing Co-operative Societies. The net result of these efforts is, however, very poor. Even a scheme worked out by the Government of India to provide housing facilities to conservancy workers during the period of 1960-65 did not materialize despite the fact that the Department of Social Welfare at the Centre had made a provision of Rs. 1.44 crores during the said period for the construction of housing colonies for conservancy workers. Wherever, housing colonies have been constructed, though very few, they are reported to be lacking even in the minimum sanitary facilities. They have been constructed at the out-skirts of certain towns or near public lavatories, dirty drains, or dumping grounds.

12.12.16. We strongly feel that Housing Programmes for municipal workers including conservancy staff should be stepped up without avoidable delay. To achieve these objectives we recommend that the :—

1. Municipal bodies with active assistance of the State Governments should take urgent steps to build Housing Colonies for their workers specially for the conservancy staff.
2. Housing Societies on Co-operative basis among municipal workers should be formed wherever such societies are not in existence. These societies should also be given necessary financial assistance by the municipal bodies and the respective State Governments.
3. Existing Housing Schemes for Sweepers and Scavengers (namely Sweepers Housing Scheme and Low-Income Housing Scheme) be co-ordinated in such a way so as to provide maximum benefit to this category of workers.
4. State Governments may provide house sites free of cost on nominal payment. Rules of loans and advances may be liberalised further to help workers to construct their own houses.
5. The possibility of constructing houses on hire-purchase basis for municipal workers may also be explored in conjunction with the State Housing Board.

Educational Facilities

12.12.17. The educational facilities in municipal bodies can be classified into two groups, namely :—

- (a) for children of the employees ; and

(b) for employees themselves.

The municipalities and cantonment boards are providing free education to the children of the employees upto primary standard in the institutions. Some of the municipalities have adopted the practice of supplying free books and stationery etc., to the workers' children as per prescribed limits. One of the cantonment boards is also reported to be giving free mid-day meals to these school children. Certain municipal bodies reimburse tuition fees of workers' children.

12.12.18. A number of municipal bodies, in their replies to the Committee's questionnaire have suggested that the provisions of free education, free mid-day meal and the supply of textbooks by municipal bodies will encourage the children of the conservancy staff to go for schooling. The Committee feels that the children of conservancy staff need special attention so that they learn new skills and are thus not forced to adopt the hereditary professions. This could be done by spreading both institutional and promotional activities for imparting education and training to the children of the conservancy staff. The low-level-income of these workers may, however, prove as a hurdle in the progress of educational programmes. It is therefore, necessary that substantial measures are adopted for giving free supply of stationery and books to the children of low-paid employees in general and conservancy staff in particular.

12.12.19. Education of the adult conservancy workers is equally important. By and large, much attention has not been paid to this aspect. Improvement in this direction would change the attitude of these workers with regard to their status in society, and a feeling of self-respect and self pride may develop among them. The purpose could be achieved only through intensive programme of adult education. It may be mentioned in this connection that certain social welfare institutions like Adult Education Board, Harijan Sevak Sangh etc. have been operating in this field. The Adult Education Board have been providing educational facilities to workers by holding night classes, details of which have been given elsewhere. The Harijan Sevak Sangh have undertaken schemes for running of educational institutions for the children of the conservancy staff. Besides, under another scheme of the Sangh, the conservancy workers are taught the methods of handling the night-soil with the help of modern equipment. To that extent, it is good education for them, but it is necessary that to broaden their horizon adult education programme should be taken up on a large-scale and on priority basis. To accelerate the progress of such a programme, it would be appropriate that the existing voluntary institutions, operating in the field of Harijan Welfare, may be motivated and financially helped to undertake adult education programmes. We, therefore, recommend that adult education should be made more popular with the conservancy staff by providing necessary incentives in collaboration with the State Adult Education Board.

The Setting up of Community Centres

12.12.20. Some facilities in the shape of outdoor games and sports are provided by some municipal bodies while some other maintain

Labour Welfare Centres for municipal staff. We feel that such Labour Welfare Centres, manned by trained staff could be opened by atleast municipal bodies in metropolitan cities and other big cities of the country. These centres can provide adequate recreational and vocational facilities for the families of workers. They can also be run in conjunction with the Labour Welfare Centres which are functioning in different States either under the direct supervision of the State Government or by the Statutory Labour Welfare Boards.

12.12.21. At a number of places voluntary organisations of conservancy staff have undertaken various social, educational and welfare activities on the whole. The State Governments and Municipal Bodies give financial assistance to these social organisations. These Community Welfare Centres, organised by the municipal staff themselves, are reported to be very popular. Considering the utility of these institutions to the workers we recommend that Community Centres on the lines of Labour Welfare Centres may be opened by the Municipal bodies at appropriate places wherever there is concentration of municipal workers and where such facilities are not available. These Centres should provide inter-alia medical, recreational and educational facilities. Arrangements for the training in handicraft, knitting and sewing, music and dancing for the families of the workers may also be made.

Fair Price Shops/Cooperative Stores/Cooperative Saving Facilities

12.12.22. Barring a few exceptions the facility of Fair Price Shops/Cooperative Stores does not exist in many of the municipalities. It is claimed that wherever fair prices shops/cooperative stores have been set up, articles are made available to the employees at cheaper rates. The utility of such fair price shops/consumers' cooperative stores has been improved in the case of other industrial establishments also. We, therefore, recommend that municipal bodies employing 300 or more workers should take necessary steps in the early formation of cooperative consumers' stores and cooperative credit societies wherever such facility is not available.

12.12.23. The facility of cooperative credit societies is available for a limited number of municipal bodies as also cantonment boards. There is, however, no uniformity in the rate of interest charged for these credit facilities. It differs from place to place depending on the decisions taken by members of these bodies.

Transport Facilities

12.12.24. The smaller municipal bodies do not consider necessary to provide transport facilities because most of their employees reside within the city-limits and only a few come from surrounding areas. The municipal bodies do not provide transport facilities as public transport has been considered more or less adequate by them. The workers come to their work-place on foot or on bicycles, rikshaw and public transport.

Distress Relief and Cash Benefit

12.12.25. There is no Scheme for distress relief or cash benefit in most of the municipal bodies. But for their financial limitations, many of these bodies might have liked to introduce this

amenity in one form or the other. The practice of festival advances, recoverable in easy instalments are provided by some municipal bodies. Some give preference to the dependents of their deceased employees in respect of employment in lieu of distress relief in cash. The Committee is not in a position to portray an all-India picture because of the limited information that it has at its disposal from the responding parties.

Appointment of an Officer for Ensuring Welfare Amenities

12.12.26. With the exception of a few municipal bodies, officers have not been appointed exclusively to look after the welfare amenities for workers. The municipal employees, specially the conservancy staff, because of their low pay-packets and social backwardness suffer from various disabilities and face multitude of problems. We, therefore, feel that it is necessary that an officer should be exclusively designated to attend to the grievances and problems of such employees. The Committee thus recommends that **municipal bodies employing 500 or more workers should designate an officer to ensure that the welfare amenities as laid down in the municipal bye-laws are effectively implemented**

BUILDING AND CONSTRUCTION INDUSTRY

Introduction

12.13.1. The building and construction industry includes very wide variations of work and operation such as construction of residential and commercial buildings, roads, railway bridges, air-ports, dams, irrigation canals, etc. Not only construction, even the maintenance works fall in the category of construction industry. The level of construction activity at any given time reflects the economic activity of that time. Census of India 1961 placed the employment in construction industry at 2.1 million workers. The exact number of workers now employed in this industry is not known.

Legislation for Welfare Amenities

12.13.2. No exclusive law to regulate the working conditions in this industry as such or to provide welfare amenities to workers exists. The workers are ensured the payment of wages through the Payment of Wages Act and benefits under the Workmen's Compensation Act.

Welfare Amenities by Public Sector Agencies

12.13.3. A majority of large building and construction works in the public sector are undertaken by the Public Works Departments of the Central and State Governments as well as of Union Territory Administrations. Majority of these works are undertaken by the contractors. In the case of works undertaken by the Central Public Works Department, directly or through contractors, Model Rules have been framed for providing welfare amenities to workers at work places. Similar rules have also been framed by some State Governments. As regards Military Engineering Services, Railways, and construction of dams, etc., agreements entered into by the contractors with the concerned authorities stipulate the provision of amenities such as

hutments, arrangements for sanitation and conservancy, drinking water, creche etc. by the contractors.

12.13.4. Of all these public bodies, the Central Public Works Department has the most elaborate rules for the provision of various welfare amenities to workers at the work sites. The Model Rules for the Protection of Health and Sanitary Arrangements for Workers employed by Central Public Works Department or its contractors as they are called, are applicable to all 'work places' where on an average 50 or more workers are employed and 'large work places' where on an average 500 or more workers are employed. The Model Rules provide that first aid appliances at every work place are to be maintained in a readily accessible place. At a large work place where no hospital facilities are available, within easy distance, first-aid posts are to be established and run by trained compounders. Besides, where large works are located far away from regular hospitals, an indoor ward is to be provided with one bed for every 250 employees. However, where, the large works are situated in cities, towns or in their suburbs, suitable transport facilities are to be provided for removing urgent cases to city hospitals.

12.13.5. Sufficient supply of cool drinking water is to be provided at appropriate places away from latrines, drains or other sources of pollution. Washing and bathing places are also to be provided for men and women separately and kept in clean and drained condition. Latrines have to be provided and maintained clean, separately for men and women, in accordance with sanitary conditions laid down by the appropriate authority. At every work place where 50 or more women workers are ordinarily employed, two huts for the use of children under the age of 6 years belonging to such women are to be provided with toys and play things. Where the number of women workers is more than 25 but less than 50 the contractor shall provide at least one hut and one 'dai'. A cooked food canteen shall be provided for the benefit of workers wherever it is considered expedient. Clause 19-H of the Central Public Works Department Contract Code provides for huts or residential camps of a certain specified standard for the workers on work sites.

12.13.6. It has been represented to the Committee that the Model Rules, in so far as they relate to the provisions of the welfare amenities, are not implemented effectively. The survey made by Labour Bureau on the working conditions of contract labour in building and construction industry during the year 1960 stated: 'it is unfortunate that these rules remain almost a dead letter in Central as well as State Public Workers undertaken by the contractors.'

12.13.7. The Central Public Works Department has labour welfare officers on its staff. Other organisations also have some arrangements to look after the implementation of these amenities. But on the whole the enforcement machinery is inadequate to look after the proper enforcement of welfare amenities. The problem is further aggravated because the construction works are scattered over large areas. The purpose of framing Model Rules for the provision of amenities is defeated

if they are not effectively implemented. **The concerned sponsoring bodies should, therefore, take effective steps to ensure that the obligations cast upon the employers under the Model Rules are implemented.**

Provision of Improvised Huts

12.13.8. The construction works are not located at a particular place permanently. As soon as a particular work is over, the area of activity shifts to another place. Excepting the workers recruited locally, other workers engaged in building and construction industry move from place to place along with the works. Generally these workers are not provided with accommodation of any type even though the work and the workers continue for quite sometime at the same place. Realising the need for provision of some type of housing facilities to these workers even the Industrial Committee on Building and Construction Industry, in its meeting held in July 1965, recommended that depending on the nature of the work, its location and duration, suitable huts should be provided by the employers.

12.13.9. In view of the migratory character of the labour it is difficult to lay down a uniform standard for houses to be provided by the employers. We are, however, of the opinion that **where the works are located at far off places and the workers do not belong to the local area or places within a distance of 5 miles from the worksite, it should be obligatory on the employer in case of all work-sites, where 100 or more workers are employed, to provide improvised huts or residential camps to such workers near the work sites with suitable sanitation facilities.**

Arrangements for Looking after Children

12.13.10. The number of female workers engaged in building and construction industry in 1961 stood in the neighbourhood of 2.4 lakhs or about 12% of the total work-force. The pattern of employment in the industry is also such that almost all adult members of the family work on the same work-site or on different work-sites within a given area. The Committee, therefore, recommends that **in such a situation necessary arrangements should be made by the employers for workers' children to be looked after properly.**

Standardisation of Safety Measures

12.13.11. The industry is accident prone owing to a variety of reasons such as falling of materials or persons from height, collapse of scaffolding, caving in of earthen works etc. In the year 1957, accidents rate involving death was the highest in building and construction industry, namely 0.80 per 1000 as against 0.75 in mining and only 0.15 in factories. The rate of compensated accidents in this industry in the same year was 15.14 for 1000 workers as against 16.84 in factories.² In the year 1966, out of 1280 accidents for which compensation was paid, 94 resulted in deaths, 149 permanent disablement and the remaining 1037 suffered from temporary disablement.³

12.13.12. These figures cannot, however, be regarded reliable. As all the injuries are not compensated, the number of compensated accidents does not reflect the total number of injuries occur-

ring. Further, many of the establishments covered by the Workmen's Compensation Act fail to submit returns and hence in such circumstances the information received by the State authorities about the number of compensated injuries and the amount of compensation paid is not complete. The Labour Bureau survey shows that 'the contractors generally avoided the reporting of even fatal accidents by negotiations with the near relatives of the deceased, so that they might not prefer any claim against them to the executing authorities'.⁴ It is, therefore, obvious that the problem of safety in building and construction industry needs serious attention.

12.13.13. In this connection it may be stated that in the case of works undertaken by or on behalf of the Central Public Works Department, an elaborate safety code has been evolved which forms a part of contractual obligation. The agreement entered into by the Railways with the contractors also contains provision relating to the safety of workers. The operations undertaken by or on behalf of other organisations, including engagement of contractors by the private parties, are not governed by any such safety measures. A large number of construction workers are thus outside the purview of any safety provisions. We therefore, recommend that **standardisation of safety measures for different job descriptions should be laid down by the technically competent experts.**

Delay in Disbursement of Compensation Claims.

12.13.14. It has been represented to the Committee that even though the employers deposit the amount of compensation as payable under the Workmen's Compensation Act with the Commissioner for Workmen's Compensation, there is considerable delay in the actual disbursement of the claim by the said Authority, in some cases reportedly, for even a number of years. The purpose of paying compensation is defeated if it is unduly delayed. The Committee, therefore, recommends that **arrangements should be made for expeditious disbursement of the amounts by disbursing authorities as prescribed under the Act.**

Accident Insurance

12.13.15. According to the provisions of the Workmen's Compensation Act, 1923; workers engaged in the building and construction industry are eligible for compensation in case of accidents. The procedure entailed in the establishment and finalisation of claims under the Act usually takes quite a long time. In a number of cases the benefits provided under the Act are not taken full advantage of by workers for one reason or the other. Besides, there is a considerable waiting period between the disability incurred and the payment of compensation made. In such a circumstance, it is necessary that the workers have something to fall back upon. The difficulty can, to a great extent, be got over if the workers are insured against accidents. The Committee, therefore, is of the opinion that **it is essential that workers are protected against accidents by accident insurance.**

12.13.16. While it is fully realised that it may not be possible to introduce the element of accident insurance in respect of workers employed on

2. Memorandum submitted by the Ministry of Labour and Employment for meeting of the Industrial Committee on Building and Construction Industry held in July, 1965.

3. Page 213, Table 92, Indian Labour Statistics, 1968.

4. Page 166, Contract Labour (Survey of Selected Industries), 1957-61, Labour Bureau, Simla.

all work-sites regardless of the number of workers engaged thereat, the Committee feels that a beginning in this field can be made in respect of such work-sites as employ 100 or more workers.

Enabling Legislation

12.13.17. It would be evident from the preceding paragraphs that, by and large, no regular pattern for the provision of welfare amenities to workers engaged in construction industry has so far been laid down. Because of the varied nature of the industry, the pattern of welfare amenities provided differs from place to place and from work-site to work-site. In the year 1960, the Labour Bureau, Simla carried out a survey into the working conditions of contract labour engaged in the building and construction industry. The survey covered 357 contractors in 124 projects.

12.13.18. It was revealed during the course of the survey⁵ that except on dams and some building projects where temporary structures had been built for being used as latrines and urinals, the contractors generally had not made any provision for latrines and urinals. Drinking water was generally made available at work-sites. The notable exceptions here were road projects, specially in hilly regions, where the workers were required to make their own arrangements. It has also been observed that washing and bathing facilities were not provided anywhere. The workers generally used the taps provided for supplying water for construction purposes for washing and bathing. At some places, even these arrangements did not exist due to the scarcity of water and the workers had no alternative but to return home after work in dirty conditions. Barring a few exceptions, rest shelters were not available to workers. The workers generally took rest under some shady place near the work-site. Although most of the contractors maintained the first-aid boxes, no regular arrangements for hospitalisation of workers in case of serious accidents had been made by most of them. Except three out of 194 contractors in State Public Works Department projects and 4 out of 50 contractors in dams, the contractors had not provided any recreational facilities for their workers.

12.13.19. It is thus obvious that by and large even the basic minimum welfare amenities are not being provided to workers engaged in building and construction industry. It is, therefore, necessary that some broad pattern of welfare amenities for workers employed in construction industry is laid down.

12.13.20. It has, however, been argued in some circles that the provision of welfare amenities to construction workers may add to the cost of construction and as most of the construction work goes on in the public sector, it is apprehended that it will lead to an increase in construction costs and thereby put extra burden on the exchequer. The argument is hardly tenable because if it is accepted, the very basis of providing welfare amenities in factories, plantations, mines and other industries can be challenged. Social justice demands that the workers employed in all industries should be treated at par and certain basic minimum welfare facilities must be provided to them. The Second Five Year

Plan also envisaged that legislation should be undertaken to regulate the working conditions in construction industry.⁶

12.13.21. It has been further argued that a majority of construction labour will derive the benefits to be conferred by the passing of the Contract Labour (Regulation and Abolition) Bill, 1967, now before the Parliament. This Bill, besides aiming at abolition of the employment of contract labour and regulating the conditions of work of such labour, wherever the system is allowed to be continued, also provides for the maintenance of welfare facilities like canteens, rest-rooms, washing places etc. by the contractors. We, however, feel that this being an industry which employs a sizeable number of workers as also keeping in view its peculiar nature, mere extension of existing enactments of labour welfare and social security benefits to this industry will not serve the purpose. We, therefore, recommend that to suit its particular nature, there should be a separate self-contained enabling legislation to regulate, inter-alia, provision of welfare amenities and social security benefits to a very large number of workers employed in this industry. This legislation can be enacted by the Central Government like other enabling legislations brought into being for specific industries.

12.13.22. While we feel that keeping in view of the nature of building and construction industry it is not possible to lay down a uniform pattern of basic minimum welfare amenities for construction workers, certain elementary welfare amenities are, however, 'must' and the provision of these amenities should be made obligatory on each employer whether it is a private person, an organisation or an official agency. We, therefore, recommend that the proposed enabling legislation should include facilities like (i) arrangements for first-aid, (ii) supply of wholesome drinking water, (iii) arrangements for hospitalisation in case of serious accidents (iv) provision of latrines and urinals if the work-site is not located in a crowded colony or if public facilities of urinals and latrines are not available nearby, (v) washing and bathing facilities, and (vi) rest places in the case of large scale works employing a minimum of 100 workers to start with.

MOTOR TRANSPORT WORKERS

12.14.1. Motor transport is one of the principal means of communication within the country and has expanded considerably during the last two decades. The total number of goods and passenger vehicles in the country has increased from about 1,16,000¹ in 1950-51 to 2,89,449² on March 31, 1968.

12.14.2. At present, about 38% of passenger vehicles are in the public sector and remaining 62% of the passenger vehicles and almost the whole of goods transport are in the hands of small private operators, each owning one or two vehicles. Taking commercial vehicles as a whole 89% thereof were stated to be under single vehicle owners in March, 1963. The statistics in regard to the number of vehicles owned by different categories in March, 1968 are given below :—

5. Pages 162-165 Contract Labour (Survey of Selected Industries), 1957-61, Labour Bureau, Simla.

6. Page 582, Second Five Year Plan.

1. Report of the Committee on Transport Policy and Co-ordination p. 76.

2. Ministry of Transport and Aviation Department of Transport and Shipping.

Size of fleet	Number of operators	Total No. of vehicles owned
One vehicle each	1,36,000	1,36,000
2—5 vehicles each	14,046	50,000
6—50 vehicles each	3,187	61,449
51—100 vehicles each	32	21,000
More than 100 vehicles each	37	21,000
TOTAL	1,53,302	2,89,449

Source : Ministry of Transport & Aviation, Department of Transport & Shipping.

12.14.3. The growth rate in the Road Transport Industry is likely to be accelerated with increased economic progress and particularly with the development of industry and trade in the country.

12.14.4. In the absence of detailed information it has not been possible to estimate the number of persons employed in this industry. However, from the number of vehicles in the country, it could be presumed that the employment in this industry is quite substantial. In March, 1963, the State-owned undertakings were employing about 1,41,000⁹ workers. By now the employment in these undertakings also would have increased considerably.

12.14.5. The service and working conditions of the motor transport workers are governed by the Motor Transport Workers' Act, 1961. This Act applies to every motor transport undertaking employing 5 or more motor transport workers and extends to the whole of India except the State of Jammu and Kashmir. The State Governments have powers to extend the provisions of the Act to any motor transport undertaking employing less than five motor transport workers. The statistics quoted above will reveal that the majority of the workers do not fall within the ambit of the Act.

12.14.6. The main provisions relating to welfare under the Act are as follows :—

- (1) **Canteens**—The State Government may make rules requiring that in every place wherein one hundred motor transport workers or more employed in a motor transport undertaking ordinarily call on duty during every day, one or more canteens shall be provided and maintained by the employer for the use of the motor transport workers.
- (2) **Rest Rooms**—In every place wherein motor transport workers employed in a motor transport undertaking are required to halt at night, there shall be provided and maintained by the employer for the use of those motor transport workers such number of rest rooms or such other suitable alternative accommodation, as may be prescribed.
- (3) **Uniforms**—The State Government may, by notification in the Official Gazette, make rules requiring an employer of a motor transport undertaking to provide for the drivers, conductors and line checking staff employed in that undertaking such number and type of uniforms, raincoats or other like amenities for their protection from rain or cold as may be specified in the rules.

(4) **Medical Facilities**—There shall be provided and maintained by the employer so as to be readily available such medical facilities for the motor transport workers at such operating centres and halting stations as may be prescribed by the State Government.

(5) **First-aid Facilities**—There shall be provided and maintained by the employer so as to be readily accessible during all working hours a first-aid box equipped with the prescribed contents in every transport vehicle.

12.14.7. It has been represented before the Committee by the Workers' Organisations during its tours to various States that even the limited welfare amenities provided in the Motor Transport Workers' Act, were not being properly implemented. On this issue, the views of the Central Ministry of Transport, were also obtained by the Committee. The Ministry stated thus :—

“We do not have up-to-date information in regard to the amenities provided by the State Road Transport Undertakings to their workers. Since, however, the provision of facilities under the Motor Transport Workers' Act, 1961, is a statutory obligation on transport undertakings employing more than 5 workers, it is presumed that all the State Road Transport Undertakings must be providing the facilities covered by the Act. So far as private sector is concerned, we have no information about the facilities provided by the bulk of the private operators nor do we have any agency or machinery to collect such information”.

12.14.8. The Committee has also noted that a Conference of Chief Inspectors was held in September, 1966, to find out the reasons that stand in the way of the administration and effective implementation of the provisions of the Act. The Conference did not highlight any difficulty experienced by the States in the enforcement of the welfare provisions under the Act. There is, thus, no justification as to why these provisions cannot be enforced effectively. The Committee, therefore, recommends that the “State Governments should suitably strengthen their inspection machinery to ensure that the statutory welfare amenities provided in the Motor Transport Workers' Act, are effectively implemented without avoidable delay”.

12.14.9. The Motor Transport Workers Act, 1961 has not been extended to the State of Jammu & Kashmir. Road Transport Industry in that State employs a very large number of workers and with the exception of a couple of passenger air services, is the only means of providing communication both for men and material throughout the State of Jammu & Kashmir. As on 31st of March, 1962, there were 617⁴ passenger vehicles and 2,428 (estimated) goods vehicles. By 31st of March, 1967 the number increased to 940 and 3,960 (estimated) respectively. It will, therefore, appear that over a period of 5 years, this industry has shown a good deal of expansion. As at present much is not being done for the road transport workers in the State of Jammu & Kashmir. This State is very important from the tourist point of view and the road transport is expected to expand further. It is thus essential that the transport

3. Report of the Committee on Transport Policy and Coordination p.-76.

4. Statistical Bulletin of State Road Transport Undertakings in India—1961-62 & 1966-67,

workers of this State are also properly looked after. We, therefore, recommend that subject to over-all constitutional safeguards applicable to the State of Jammu & Kashmir, the Motor Transport Workers Act, 1961, may be extended to that State.

12.14.10. We have already stated earlier that as many as 89% of the vehicles in the country are owned by single vehicle owners. The Motor Transport Workers Act is applicable only to such undertakings as are employing 5 or more workers. Section 1(4) of the Act has given powers to the State Governments to extend its provisions to any transport undertaking employing less than 5 motor transport workers. But this provision is discretionary and has not been resorted to by any of the State Governments, with the result, the majority of the workers in this industry remain outside the ambit of the Act.

12.14.11. While stating that there can be no objection in principle that minimum basic amenities should be provided to road transport workers, the Ministry of Transport at the Centre have expressed that in view of the fact that road transport is becoming less remunerative because of the present high cost of operation of vehicles due to increase in wages, prices of stores, and rise in the incidence of taxation, the time has not come yet to extend the provisions of this Act to transport establishments employing less than 5 workers. But the Road Transport Industry, like various other industries, has its own hazards and in certain respects it has more hazards and road transport workers' life is also comparatively unsettled. We, therefore, feel that only due to administrative or other difficulties that may come in the way of State Governments for the extension of the Act to cover establishments employing less than 5 workers, a large majority of road transport workers cannot be deprived of the benefits of the provisions of even the minimum basic welfare amenities provided under the Act for an indefinite period. As it is a Central Act, the Government of India, in consultation with the State Governments, which enforce the Act should consider the possibilities of extending the same to uncovered workers.

12.14.12. Further the road transport industry, specially the goods transport, has a tendency to locate its headquarters at concentrated places. Convergence of a number of vehicles at such centres where the operators of the vehicles stay would facilitate setting up some amenities on group basis. The scope for extending amenities in this regard merits consideration by the concerned State Governments. A similar suggestion had also been made by the Chief Inspectors in their conference referred to earlier particularly in the case of rest shelters. But this proposal can easily be applied to other amenities as well. We, therefore, feel that there is a strong case for the State Governments who can prevail upon all transport employers in such places to provide the basic minimum welfare amenities such as canteens, rest shelters, and medical facilities to workers employed by them. Should persuasion fail, it would be desirable to amend the Motor Transport Workers' Act suitably so as to make it obligatory on the transport establishments not covered under the Act to provide jointly basic minimum welfare amenities referred to above.

12.14.13. The Government may perhaps take some time in giving effect to the above proposals after they are accepted. With a view to solving the immediate needs of the road transport workers, we sought for the views of the State Governments, employers and workers for the institution of a Welfare Fund on the lines of Coal Mines Labour Welfare Fund. By and large the consensus has been in favour of creating a Welfare Fund for the road transport workers and for providing additional welfare amenities over and above what is contained in the Act.

12.14.14. The Ministry of Transport, Government of India have also given their views regarding constitution of statutory labour welfare fund for transport workers. In reply to the Committee's questionnaire, that Ministry has stated that "under section 30 of the Transport Corporations Act, 1950, a Corporation may utilise such percentage of its net annual profits, as may be specified in this behalf by the State Governments, for certain purposes including welfare of labour employed by the Corporation. Thus a statutory responsibility is cast on Road Transport Corporations to spend a portion of their net profits on the welfare of their employees. In our view, it would be desirable to make a similar provision in the case of the organised transport establishments employing more than 20 persons each. The amount to be set apart for labour welfare need not be a specified percentage of the wage cost but of the net annual profit, after providing for payment of interests and dividend, and depreciation, reserve and other funds. So long as the road transport industry, particularly the goods transport sector, continues to be dominated by single vehicle owners, it may not be realistic to provide for the creation of a statutory labour welfare fund on the lines of similar funds for other industries by levying a nominal fee on the vehicles at the time of their registration."

12.14.15. In a separate note sent to the Committee later the Ministry stated thus :

"The present time is not opportune to provide for the creation of a statutory labour welfare fund for transport workers. None of the alternatives suggested for creating such a fund appears to be suitable. Since fees are normally to be regarded as cost of service tendered, any increase in the present incidence of fees under the Motor Vehicles Act or Motor Transport Workers' Act will not be favoured by us. Moreover, the levy of fees will increase the working costs.

In regard to the levy on passenger tickets or freight, this will involve increase in the fares and freights which the passengers and the community may resist. Further, it would not appear to be desirable to make provision for the welfare of a particular section of the community at the expense of another.

The State Governments may not like to set apart a portion of the revenue from the Motor Vehicle Tax for welfare of motor transport workers. We have been urging them to earmark the entire proceeds from such taxation for construction and maintenance of roads but, in view of the financial position they have not been able to implement this suggestion.

The proposal that the Central Government and State Transport Undertakings may set apart 10% of their net revenues from transport services is

also not considered feasible in the prevailing circumstances. It is our view that the time is not yet ripe for setting up a fund for the welfare of transport workers."

12.14.16. The State Governments have, by and large, favoured the setting up of a Welfare Fund on contributory basis. It has been suggested that the administration of the Fund may be vested in a tripartite autonomous body. Some of the employers have also suggested imposition of a nominal levy on licence fee at the time of registration of each goods vehicle owned by private agencies. It has also been stated that a minimum percentage of the net profits be set apart for augmenting the financial resources of the Welfare Fund. This Fund can supplement medical facilities and can provide housing and recreational facilities to road transport workers and their families in the case of establishments covered by the Act. For establishments not covered by the Act the basic minimum welfare amenities laid down in the Act can be provided. These can be expanded later according to a phased programme keeping in view the capacity of the Fund.

12.14.17. As the State Governments administer the Act, it has been suggested elsewhere by the Committee that each State should have a statutory Labour Welfare Board. **The Committee, therefore, recommends that instead of creating an autonomous body for the Motor Transport workers only, the proposed Labour Welfare Boards in each State should also take care of the workers employed in road transport industry. This will not only economise the overhead cost but will bring these workers within the larger area of welfare amenities to be provided by the Welfare Boards.**

12.14.18. It has already been emphasised that this industry has its own hazards. The life of running staff, drivers, conductors and the cleaners is always exposed to risks. Some of the workers' representatives at the time of evidence before the Committee had also stated that as the transport industry is accident prone, each transport worker, before a licence is issued to him, should be compulsorily insured. In many cases the dependents of this group of workers are not given any relief or protection against accidents. After giving due thought to this problem and its implications, **the Committee has come to the conclusion that the running staff of Motor Transport Industry may be compulsorily insured for a reasonable amount against death and permanent incapacity, the cost of insurance being shared equally between the employers and the workers. The Life Insurance Corporation has a number of schemes to cater for such establishments, one of which is, a Group Insurance Scheme. The Committee recommends that the Life Insurance Corporation may consider whether any of the existing schemes would meet the purpose of this recommendation and, if not, a new scheme may be evolved for the purpose.**

WELFARE AMENITIES TO SEAMEN

Introduction

12.15.1. The number of seamen* registered with the Seamen's Employment Offices at Bombay and

Calcutta stood at 42,111 in September, 1968. In addition there are about 300 seamen regularly employed for two ships at the port of Madras. On other ports like Cochin, Visakhapatnam and Kandla seamen may occasionally be employed on a ship but generally the supply of crew to ships at these ports is made from employment Offices at Bombay or Calcutta. One of the salient features in the employment of seamen is the dearth of job opportunities compared to the men available. This leads to compulsory laying off of seamen by rotation as per agreement arrived at with the master of the ship and the seamen. According to the agreement a seaman is normally assured of continuous employment for a period ranging between 9 to 18 months at a stretch and thereafter he has to remain idle for a few months before he gets his next turn of employment according to the roster. No woman and young person below the age of 21 years is allowed to work as Seaman.

Legislative Provisions in India

12.15.2. In order to regulate the working and service conditions of seamen, the Government of India as early as in 1923 had enacted the Indian Merchant Shipping Act, 1923. This Act was later on replaced by the Merchant Shipping Act, 1958 and brought into force from 1st January 1961. The provisions of the Act are applicable to all ships which are registered in India or which in terms of this Act are required to be registered wherever they may be. The main provisions with regard to health, and accommodation are contained in Sections 168 to 177. The purpose of these sections is to ensure welfare amenities to seamen on board. As regards welfare amenities on shore or at ports these are being provided according to the Policy and directions laid down by the National Welfare Board for Seafarers provided under Section 218(1) of the Act.

12.15.3. In addition to these Statutory provisions agreements have been entered into between the Employers and the Seamen for provision of welfare amenities, such as medical facilities, gratuity, provident fund etc. Also fund has been instituted to provide facilities to 'Off Article' Seamen in case of distress arising out of illness, death etc.

12.15.4. For implementing the provisions of the Act the executive powers lie in the Director General of Shipping who in turn has appointed specific Officers to look after the welfare of seamen, for instance, at the Headquarter's level an Additional Deputy Director General has been entrusted with the job and under whose charge Principle Seamen's Welfare Officers at Bombay and Calcutta and a Seamen Welfare Officer at Madras has been appointed. Outside India Principle Seamen Welfare Officer is also posted at London and Seamen Welfare Officers at Glasgow, Liverpool and at Sydney in Australia. The duties of these officers consist mainly of supervising and coordinating the working of seamen's hostel, welfare clubs, etc., the provision of medical treatment, recreational facilities, legal aid etc. In addition they are required to maintain liaison with local authorities and institutions with a view to helping seamen in all possible ways. Similar duties are assigned to Officers posted in India.

*Seaman . . . "means every person (except a master, pilot or apprentice) employed or engaged as a member of the crew of a ship under this Act but in relation of sections 178 to 183 (inclusive) includes a master."

1. A crew who is not on ship duty is called 'Off Article' and he is entitled to limited assistance on account of medical and other facilities.

Existing Welfare Amenities

12.15.5. The welfare amenities for Seamen can broadly be divided into two heads viz., (i) amenities provided on boardship and (ii) amenities provided on shore. The welfare amenities provided to seamen on boardship are those prescribed under the Merchant Shipping Act, 1958. The main provisions relate to health and accommodation which *inter alia*, provide for the supply of sufficient drinking water and other necessities like beddings, towels, mess utensils, medicines, medical stores, maintenance of proper weights and measures on board, provision of certificated cook on boardship, allowances for short and bed provisions, expenses of medical attendance in case of illness, grant of relief to distressed seamen abroad a ship, accommodation for seamen on ship, inspection by shipping master of provisions, water, weights and measures and accommodation. Efforts have been made to prescribe the standards of welfare amenities in the Act in accordance with the international principles and standards.

Hostels and Clubs

12.15.6. At the ports of Bombay, Calcutta and Madras there are seamen's homes and Officers' clubs. The accommodation charges are either nominal or lower than the usual market rates. In these places some recreational facilities are also available. The hostels and clubs are managed by the Indian Sailors Home Society. The Home and Hostel at Bombay provide free accommodation for 1,000 beds and on a nominal charge of 25 paise per day. Recreational and cultural facilities and film shows are occasionally arranged free of charge. The Prince of Wales Seamen's club, Bombay, provides modern amenities for seamen of western habits with sleeping accommodation for 24 seamen and 30 officers. At Calcutta, Nabik Garh (Sailors' Home) provides furnished accommodation for 260 seamen at a nominal charge of 25 paise per day which includes free beds and other modern facilities. Besides, facilities for canteen, library and recreation have also been provided.

12.15.7. Viewed from the number of seamen and their needs, it is considered that the present arrangements of clubs and hostels falls short of their requirements. The Workers' Organisation in their memorandum to the Committee have strongly urged a need for providing better and adequate housing facilities to seamen. In this connection, it may be mentioned that this need has already been appreciated and an allocation of Rs. 74.50 lakhs to provide for hostels and clubs etc. has been made. This facility will be provided at different ports to seamen. The Committee after discussion with the concerned interests have upheld the need for adequate housing and recommends that :—

- (1) Construction of hostels, clubs and other quarters may be intensified keeping in view the requirements of family and non-family seamen accommodation.
- (2) Special facilities may be offered to such seamen as do not have their own houses to form cooperative housing societies for meeting their housing needs.

Medical Facilities

12.15.8. Arrangements for medical treatment of Seamen have been made on an elaborate scale at all the major ports in cooperation with the various

State Governments. For purposes of medical facilities seamen have been grouped into two categories viz. (i) seamen 'on articles' and (ii) 'off articles'.* Seaman 'on articles' and 'off articles' within one year receive free treatment and hospitalisation facilities in the seamen's clinics and other hospitals. The cost of treatment for seamen 'on articles' is borne by the Shipowners, while the hospital treatment for Seamen 'Off Articles' (within one year) is borne by the Government and in most of the cases this cost is shared on 50:50 basis by the Government of India and State Governments concerned. Beds have been reserved in the State Hospitals for Seamen and Merchant Navy Officers at various ports. The Seamen at Bombay and Calcutta enjoy this facility in addition to hospital wards maintained for them. In case of reservation of beds in State hospitals the cost is shared on 50:50 basis by the Central and State Governments. Costly medicines not generally provided in the hospitals are supplied to needy seamen at Bombay and Calcutta from Funds made available to the Seamen's Welfare Officers there.

12.15.9. Arrangements have also been made for the treatment of seamen at the ports of Kandla, Cochin, Madras and Visakhapatnam by having two beds reserved in the State hospitals at these places. Facilities for outdoor treatment of Seamen (throughout the year) are also provided at the Seamen's clinics at Bombay and Calcutta. Specialist services in respect of Ear, Throat and Dental cases are provided free of cost in these clinics. Arrangements for indoor treatment of seamen have been made in local hospitals of Bombay and Calcutta. There is a 12 bedded convalescent home for Seamen at Bombay.

12.15.10. Scheme for periodical medical examination of Seamen, prior to their engagement, was started in 1950 in India. Seamen are medically examined, by Government doctors to determine their fitness or otherwise for sea service and certificates are issued accordingly. A certificate of fitness remains valid for 5 years after which the seamen are re-examined and on the basis of the report they are allowed to continue with the job or they stand rejected, as the case may be. Though medical examinations are carried out periodically and adequate medical care given to seamen, yet diseases like ear trouble and stomach ulcer are stated to be quite common with them. Such like diseases crop up either on account of negligence or in the absence of protective measures. Efforts may, therefore, be made to minimize or eliminate the spread of such diseases by taking preventive and curative steps. In view of the complaint that has been made, we feel that as a preliminary step investigation may be carried out into the causes of high incidence of these diseases (i.e. ear trouble and stomach ulcer) and preventive as well as curative steps be taken at an early date to bring down incidence of all these diseases.

12.15.11. Welfare Scheme for seamen on shore or port are financed through the amount given by the Government of India for construction and recurring cost of welfare projects like clubs, hostels etc., are met from the donations received from Port Trusts and the interest earned on the investment of various Funds set up on voluntary basis. There is a proposal to collect a levy of Rs. 5/- per annum per seaman from the ship owners on the engagement of seamen.

*The crew who is not on ship duty and laid off is called 'off articles.' Crew who is 'on duty' under agreement with the shipowners is called crew 'on articles'.

Welfare Funds

12.15.12. Apart from the above amenities on boardship and on shore, certain funds have been constituted to provide assistance to Seamen in distress, prolonged illness, natural calamity, death, etc. Besides, 'off articles' Seamen also get assistance for medical treatment when they are not otherwise eligible for such assistance under rules. These funds are :—

- (1) Merchant Seamen's Amenity Fund;
- (2) Sick and Destitutes Seamen's Amenities Fund;
- (3) Benevolent Fund; and
- (4) Seafarers' Welfare Fund Society to look after some of the welfare needs of Seamen. The salient features of each fund are discussed below :

(1) Merchant Seamen's Amenity Fund

12.15.13. This Fund was created during World War I out of the contributions received from the then Viceroy's War Purposes Fund. The Fund is utilised for providing the welfare amenities to seamen employed at ports in India and to Indian seamen at ports abroad.

(2) Sick and Destitutes Amenity Fund, Bombay

12.15.14. This Fund is financed by voluntary donations from ship owners and charitable institutions. It was constituted in 1949 out of which the assistance is given to the needy 'off articles' seamen for purchase of medicines, injections, dentures etc.

(3) Benevolent Fund

12.15.15. The Seamen's Benevolent Fund was registered as a Society in October 1967. This Fund is made up of 'Flag Day' celebrations, collections, voluntary contributions from members (about Rs. 12/- each member annually) and others. It provides assistance to the employees in the event of prolonged illness, unforeseen calamity to the members of his family on the death of the employees and other cases considered fit by the Managing Committee and the Society.

(4) Seafarers' Welfare Fund Society

12.15.16. Besides, on the basis of the recommendations of the National Welfare Board a Seafarers' Welfare Fund Society has been registered. It is proposed to merge as far as possible the various existing funds to provide a running source of income to the Society. The Society finances the various welfare measures for seamen and their families.

National Welfare Board

12.15.17. Under section 218 of the Merchant Shipping Act 1958, the Government of India constituted a National Welfare Board for Seafarers for the purpose of advising Central Government on the measures to be taken for promoting the welfare of seamen whether on shore or on boardship generally and in particular the following :—

- (a) establishment of hospitals or boarding and lodging houses for seamen;

- (b) establishment of clubs, canteens, libraries and other like amenities for the benefit of seamen;
- (c) establishment of hospitals for seamen or the provision of medical treatment for seamen; and
- (d) provision of educational and other facilities for seamen.

12.15.18. The National Welfare Board is entrusted with the task of reviewing various amenities from time to time provided to seamen in general as laid down in the Merchant Shipping Act 1958. Although the decisions of the Boards are of advisory nature yet on the basis of the recommendations of the Board various steps are being taken to ameliorate the working and living conditions of seamen. The National Welfare Board is of tripartite character. It has taken considerable interest in the welfare measures of the seamen. The Board has discussed and recommended a number of welfare measures from time to time. It was brought out during the course of the discussion in the meeting of the Committee that some of the recommendations of the National Welfare Board had remained un-implemented for quite some time. The Committee examined this aspect and recommends that **efforts should be made to implement the recommendations given by the National Welfare Board for Seafarers' or any of the Sub-Committee appointed by it as quickly as possible.**

Seamen's Welfare Officers

12.15.19. As stated earlier Seamen Welfare Officers in India and outside have been appointed to supervise and coordinate the work of seamen hostels, welfare clubs, medical and recreational facilities, legal aid etc., to seamen and such other work as may be considered necessary to promote seamen welfare on Board as well as on shore. These Welfare Officers are also required to look into individual problems of seamen pertaining to service conditions, sickness, payment of dues, etc. Wherever seamen Welfare Officers have not been appointed in foreign countries the task of looking after the needs of seamen welfare is assigned to the embassies or to the consulates. In foreign ports some recreational facilities like library and films shows have been arranged. The extent of recreational facilities at present provided to seamen on foreign ports fall short of the requirements both in terms of quantity and quality. The Committee, therefore, recommends that **it would be desirable to organise seamen's clubs which would undertake more facilities on an expanded scale, wherever considered necessary and feasible.**

Need for Vocational Training Centres

12.15.20. Under Section 218(i) of the Merchant Shipping Act, 1958, the Government of India have constituted a National Welfare Board for Seafarers' for advising them *inter alia* in measure, for promoting educational and other facilities for seamen. The Committee learns that little progress has been made in the matter by the said Board. Perhaps, due to the fact that seamen are residing in scattered areas. During the days when seamen are not employed, it becomes difficult for them to earn their livelihood. Little savings, if any, with the seamen are at times not sufficient to provide necessary cushion. This is a serious handicap by which seamen suffer and it requires solu-

tion. One way of tackling this problem could be by setting up vocational training Centres, where the seamen could receive training in alternative trades. Such Centres can also prove useful to the seafarers in giving them training in higher technical and nontechnical courses which may be helpful to the seamen in his service career. It is expected that this arrangement will go a long way in improving their economic lot and in helping them to earn their livelihood during the time they are not on sea duty. In the light of the above, the Committee after detailed consideration recommends that it would be advisable for the Central Government to persuade the State Governments to set up Vocational Training Centres wherever seamen live in a sizeable number. The Committee further recommends that continued technical education may also be arranged for Seamen so that they become eligible for higher jobs in the industry. No doubt in this sphere employments alone cannot ensure the success of such training centres on account of variety of reasons such as lack of funds and administrative machinery etc. It is, therefore, advisable that Seamen's Welfare Fund Society which is already financing and organising number of welfare activities for Seafarers can be entrusted with the responsibility of setting up and running of such Centres. In the light of the above the Committee recommends apart from Shipowners and other employers. Seamen's Welfare Fund Society can also make some positive contributions. Such vocational centres should also be made open for the families of Seamen and/or unemployed Seamen who may be assisted to acquire knowledge of certain trades and vocations which will enable them to supplement family income when the bread-winner is on the high seas and also during his unemployment period. While it is necessary that the amenity should first be arranged for the workers, it is equally important that if this facility is provided it should be properly and fully utilised. The experience gained, so far is not very encouraging. The locational aspect of such centres will play a very important part. In case such Centres are set up at a distance from the residence of Seamen then there is a likelihood that the families of Seamen may not be enthused to avail the advantage of this amenity. The Committee, therefore, feels that such centres could be started as near the residence of seamen as possible in places where seamen population is concentrated.

Unemployment Insurance Scheme

12.15.21. India has a large number of seamen, perhaps the largest next to the United Kingdom in the Commonwealth. Nearly 75% of seamen

are engaged by foreign shipowners mostly British. As is pointed out earlier the position of the seamen's employment is uncertain. Therefore, there is a greater need in their case of providing him with financial assistance during the period, they remain unemployed. The Committee, therefore, feels that a suitable Scheme of Unemployment Insurance may be evolved and made applicable to seamen as and when considered feasible and administratively possible

12.15.22. The need of Unemployment Insurance Scheme was accepted in principle by the National Welfare Board for Seafarers in its 5th Meeting held at Madras on 18th September 1967. Since the proposal mooted out by the Welfare Board is likely to take some time, it is necessary to alleviate the sufferings of Seamen while they are not on duty. Till such time it is felt that the formation of cooperative credit and thrift society for the benefit of seamen may be considered. These Societies may give loans on easy terms to seamen during the period of unemployment. The Seamen's Organisation in consultation with the Employer/Shipowners should initiate action in this matter. Employers and Shipowners or their part may provide necessary guidance and assistance in the form of accommodation, loans and advances etc.

Rehabilitation of Handicapped Seamen

12.15.23. Unlike other industries the rate of accidents in shipping industry is comparatively low yet cases of seamen becoming incapacitated for sea service on account of accident, injury or illness of a severe nature were brought to the notice of the Committee. The Committee examined at length this problem and came to the conclusion that the handicapped Seamen should be assisted in their rehabilitation, so that they can do other jobs and earn livelihood in spite of their incapacity for working as Seamen.

12.15.24. Prior to rehabilitation, the programme for providing necessary training to the handicapped seamen is very necessary. The Committee, therefore, recommends that before handicapped seamen could find an alternative job it is necessary that Rehabilitation Centres could be started at major ports where such Seamen could be trained in different trades, which they can pick up, taking into consideration the nature of their incapacity to do certain jobs or arrangements could be made for training at established centres, if the number of such handicapped seamen does not justify starting a centre exclusively for them.

CHAPTER XIII

INTRODUCTION

Definition of mines and minerals.

13.1. A 'Mine' according to the Mines Act 1952, means "any excavation where any operation for the purpose of searching for or obtaining minerals has been or is being carried on", and 'minerals' have been defined as "substances which can be obtained from the earth by mining, digging, drilling, dredging, hydraulicking, quarrying or by any other operation and include mineral oils, (which in term include natural gas and petroleum)".

Importance of mineral wealth in the country's economy.

13.2. The mineral wealth in the country is divided into two groups (1) major minerals and (2) Minor minerals. Major minerals have been further divided into two categories namely (1) Coal and (2) Non-Coal. A Statement of the number of Mines, average daily employment and output of major minerals for the year 1967 is contained in Annexure I. Amongst the non-Coal major minerals are manganese, iron ore, gold, copper, mica and limestone.

13.3. Amongst the minor minerals, prominent minerals are building stones, marble, sand, sandstone and granite. A detailed list of these minor minerals is contained in Annexure II.

13.4. The above annexure indicates the range of minerals produced in the country. This rich variety of minerals plays a very important role in the economic and strategic development of the country.

13.5. The total value of mineral production during 1967 was of the order of Rs. 3365 million.¹ Coal and lignite accounted for 61% of the total value of mineral production in 1967. Of the total mineral wealth produced in the country coal occupies the pride of place followed by oil, iron ore, limestone, manganese ore, gold, copper ore and mica.

13.6. Besides serving as basic raw material for a larger variety of industries like Iron and Steel, Cement, Chemicals, Fertilizers, Thermal Power Plants, these minerals also play a prominent role in earning foreign exchange for the country. In 1967, minerals worth Rs. 1,387 million were exported from the country.² The importance of the mineral wealth to the national economy of the country thus needs no over emphasis.

Employment potential.

13.7. Even from the point of view of employment potential, the mining industry has a prominent place in the utilisation of country's manpower. According to information furnished to the Committee by the Director General Mines Safety the total number of mines functioning in the year 1967 was 4821. Of these 3112 mines

with employment of about 6.7 lakhs persons submitted returns. This does not include the number of mines as well as the person employed in minor minerals. However, the employment figure in the minor minerals has been roughly estimated at about 5 lakhs. The total employment thus comes to about 12 lakhs persons both in major and minor minerals. Amongst the major minerals about 4.3 lakhs persons are employed in various coal fields in the country. With the pace of economic development in this field, more mines will be opened providing increased opportunities for employment.

Working conditions.

13.8. The peculiar conditions of work in mines deserve special attention. Mining is one of the most hazardous industries. According to a study conducted by the I.L.O. in 1963, "with the development of new techniques, such as ventilation and lighting, mechanical cutting, dust suppression and with better organisation and supervision of hygienic facilities and preventive measures, these hazards have been reduced, but not eliminated."

13.9. The nature of the industry apart, its geographical situation aggravates the difficult working conditions. Mines are generally situated at out of the way places and are scattered and cut off from the main stream of country's social and cultural life. While nature has been bounteous in the deposit of minerals, these areas suffer from acute water scarcity.

13.10. Underground operations in extraction of minerals make it accident prone. According to the ILO there are a variety of reasons which make this industry more accident prone than others. These are: (1) explosions of firedamp and coal dust (2) falls of roofs and sides (3) shaft accidents; (4) haulage; (5) explosives; (6) electricity; (7) machinery; (8) inundation. Even normal environmental and hygienic facilities at work-places cannot be provided underground at times. The workers have to work in pits which are watery, ill ventilated and excessively humid. These can be easily called not only hazardous but poor conditions of work.

13.11. Underground mining operations also expose workers to occupational diseases which at times lead to permanent disabilities. In fact under certain conditions mechanisation has introduced new risks. In underground work, there are dangers for the respiratory system (pneumoconiosis) and occasionally anaemia (ankylostomiasis). Silicosis may be caused by injurious dust, and heat may cause heat exhaustion and heat stroke.

I.L.O. Committee

13.12. The peculiar nature of the mining industry has also been recognised internationally.

1. Annual Report of the Chief Inspector of Mines, 1967.

2. Journal of Indian Bureau of Mines—Mines and Minerals Vol. 5 —No. 1 p. 20.

3. I.L.O.—The Employment of Young Persons in Underground Work in Mines of All Kinds—(1963), p.11,

The ILO has set up two Committees (1) on Coal Mines and (2) on Mines other than coal. The Coal Mines Committee, adopted in its first session, what later came to be known as the "Mine Workers' Charter." This Charter *inter-alia* lays down broad guide-lines for the welfare and safety of workers in Coal Mines. These are :

1. Work under conditions conducive to the safety, health and comfort to the workers and an adequate scheme for accident prevention and workmen's compensation.
2. Social betterment in the interests of coal mine workers and their families.
3. Schemes to provide adequate retiring allowances to make provision for the old age of those who have been employed in the coal mining industry.
4. Training courses for new entrants.
5. Co-operation among the interests involved in the success of the industry, including collective bargaining.

13.13. The Committee continues to meet periodically to review the conditions of work including welfare amenities and health facilities available to coal mine workers.

13.14. The ILO Committee on Mines other than Coal was set up as a result of a request made by the International Miners' Organisation to the ILO. This Committee held its first session in December, 1967 and discussed various measures relating to the well-being of workers employed in Mines other than Coal. The problems that this Committee discussed in its first session were as follows:—

- (i) Accident prevention in mines other than coal mines.
- (ii) Machinery for wage fixing and wage protection in mines other than coal mines.
- (iii) Industrial Relations in mines other than coal mines.
- (iv) General examination of social problems arising in mines other than coal mines.

This Committee has also been meeting from time to time and evolving various measures to serve as guide-lines for the member countries, *inter-alia*, promoting well-being and safety of workers employed in Mining Industry.

The Mines Act.

13.15. In India too, the conditions of miners necessitated the enactment of legislation on the part of the Government to improve the lot of mine workers. The Mines Act was first passed in the year 1901, for regulating the conditions of miners in India. In 1923, the Act was amended and a provision was incorporated, whereby a Manager incharge of the mine was to make provision for the drinking water, sanitation, first-aid and provision of medical appliances etc., ready at hand at the work-place. The Act prohibited underground employment of women workers and children below 15 years of age to work in underground mines. In the year 1947, the attention of the Government of India was drawn to the

appalling working conditions of the miners. Accordingly a Tripartite Industrial Committee on Coal was appointed in 1948. This Committee, *inter-alia*, recommended for the amendment of Mines Act for providing better working conditions for workers in the mining industry. A similar Committee for Mines Other than Coal was also set up in 1958.

13.16. The present Mines Act was passed in 1952. The Act provides for facilities like creche, pit head bath, medical and health, maintenance of first-aid room etc. It also lays down for the provision of rest shelters for taking food if 50 workers are employed in a mine, and for the provision of a canteen if 250 or more workers are employed in a particular mine. It is also stipulated in the Act that wherein 500 or more persons are ordinarily employed a Welfare Officer or such number of Welfare Officers, as may be prescribed, may be appointed for the administration of welfare amenities for miners. The details about the provision of various welfare amenities for miners have been prescribed in the Mines Rules 1955, Coal Mines Pit Head Bath Rules 1959, Mines Maternity Benefit Act, 1961, and Mines Creche Rules 1966. The Director General Mines Safety has been designated as the competent authority for administering and enforcing statutory welfare measures in mines.

Mines Boards of Health.

13.17. The State Governments also devoted their attention towards the welfare of miners and adopted measures to improve upon their working conditions. The State Governments of Bengal and Bihar established Mines Boards of Health in their coal fields by enacting Mining Settlement Acts in 1912 and 1920 respectively. Accordingly, Mines Boards of Health were set up in important coal field centres like Jharia, Asansol and Hazaribagh areas. The bye-laws of Jharia Mines Board of Health laid down certain guide-lines for the construction and sanitation of houses for miners. The Board also provides for the facilities like conservancy, watersupply, prevention of infectious diseases, dispensary and such other health measures as were necessary for the health of miners. The other Boards had also been organising similar welfare facilities in their respective areas. These Boards have done commendable work in so far as the control of epidemic diseases in these areas is concerned. They have also improved the general sanitary conditions in workers' colonies to some extent.

Welfare Funds.

13.18. In spite of the legislative provisions for the basic welfare measures for mining workers, it was felt that the workers in this industry needed much more attention towards their welfare. Working conditions of coal miners were particularly deplorable. During the Second World War, the supply of coal was also hampered due to the shortage of labour in the coal industry.

13.19. In 1943, the Government of India appointed a Committee to look into this problem. The Committee observed that for augmenting the supply of coal in the country from the coal-fields it was essential that colliery workers should be ensured some basis welfare amenities, *e.g.*, housing, medical and other general welfare facilities. Acting on the observations of this Committee an

Ordinance namely, Coal Mines Labour Welfare Fund Ordinance was promulgated in the year, 1944, with the main object to create a Welfare Fund for financing and organising welfare activities for the welfare of workers employed in coal mining industry. The measures contemplated in this Ordinance included housing facilities, medical, health, education, and recreational facilities. This Ordinance was subsequently replaced by the Coal Mines Labour Welfare Fund Act in the year, 1947.

13.20. In 1946, the Mica Mines Labour Welfare Fund Act was enacted to constitute a Fund for the financing of welfare activities for workers employed in Mica Mines. A similar Fund was created for workers employed in Iron Ore Mines in 1961. These Funds, the activities of which have been discussed in detail in subsequent Chapters, have gone a long way in organising welfare amenities for mining workers in their respective minerals.

Labour Ministers' Conference, 1966

13.21. The Labour Ministers' Conference, held in New Delhi in 1966 reviewed the activities of these three Funds. It recommended that similar Funds might also be constituted in the case of other industries including Mining Industries. Accordingly in the terms of reference this Committee was asked to go into the question of suggesting such other industries where the type of Funds referred to earlier could be constituted. We have devoted our thought to this problem in so far as other minerals are concerned. A discussion on this problem appears in subsequent chapters in this Report.

13.22. We feel that keeping in view the hazardous nature and peculiar conditions of work in mining operations the extent and scope of welfare activities for miners needs a comprehensive review. It is in this context that we have given a detailed thought to the need for universal coverage of miners for some basic minimum welfare facilities.



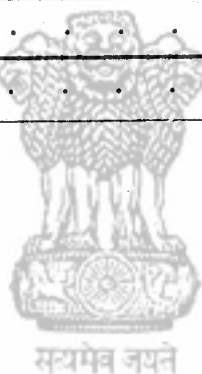
ANNEXURE NO. I

Statement of number of mines, average daily employment and output for the year, 1967

Sl. No.	Name of Mineral	No. of mines worked	Unit of output	Output	Average daily employment
1	2	3	4	5	6
	COAL	789	Tonnes	71,607,091	413,790
	NON-COAL :				
1	Agate	1	Tonnes	125	22
2	Apatite	6	„	14,651	497
3	Asbestos	46	„	67,983	1,437
4	Barytes	66	„	45,475	1,741
5	Bauxite	36	„	787,017	3,560
6	Calcite	11	„	12,439	202
7	Chinaclay, Clay & Whiteclay	108	„	838,176	7,886
8	Chromite	7	„	112,052	1,120
9	Copper	8	„	469,752	3,190
10	Corrundum	1	„	304	86
11	Diamond	2	Carats	6,591	458
12	Dolomite	54	Tonnes	1,131,887	6,157
13	Emerald	1	Carats	27,050	14
14	Felspar	28	Tonnes	25,244	576
15	Fireclay	74	„	350,751	2,985
16	Fluorite	4	„	11,719	833
17	Fuller's Earth	2	„	3,300	106
18	Galena & Sphalerite	2	„	149,019	1,311
19	Garnet (Gem) Garnet (Abrasive)	7	Kgms. „	4,917 97,165	205
20	Gold Silver	3	„	3,161	11,365
21	Graphite	27	Tonnes	7,597	916
22	Gravel	1	„	11,543	34
23	Gypsum	93	„	1,014,758	5,350
24	Iron-Ore	273	„	24,969,569	55,538
25	Iron Pyrites	1	„	144	655
26	Kyanite	8	„	49,523	1,130
27	Laterite	1	„	7,873	18
28	Limestone	267	„	21,097,726	51,486
29	Magnesite	8	„	247,243	7,873
30	Manganese	308	„	1,622,334	44,789
31	Mica	504	„	16,910	16,716
32	Ochre	25	„	24,556	569

ANNEXURE NO. I—*contd.*

1	2	3	4	5	6
33	Quartz	22	Tonnes	149,453	984
34	Salt	2	„	3,233	101
35	Sand Stone	10	„	144,169	794
36	Selenite	1	„	7,406	56
37	Sillimanite	3	„	5,491	249
38	Silica	32	„	80,207	856
39	Slate	25	„	14,872	1,070
40	Steatite	67	„	120,258	3,287
41	Stone	164	„	3,654,055	10,139
42	Vermiculite	3	„	103	40
43	Wolfram	2	„	34,766	519
44	Oil	7	„	5,696,668	8,625
TOTAL—NON COAL		2,823	..	..	257,545
TOTAL—ALL MINERALS		3,112	..	..	671,335



ANNEXURE NO. II

List of Minor Minerals

- | | |
|--|---|
| 1. Building stones. | 13. Limeshell. |
| 2. Marble. | 14. Murrum. |
| 3. Sandstone. | 15. Brick earth. |
| 4. Granite. | 16. Fuller's earth. |
| 5. Laterite. | 17. Bentonite. |
| 6. Other building stones. | 18. Ordinary clay. |
| 7. Boulder. | 19. Sand (Used for other than refractory, ceramics, metallurgical, optical and stowing coal mine purposes). |
| 8. Shingle. | 20. Road metal. |
| 9. Gravel. | 21. Reh-matti. |
| 10. Chalcedony Bebbles (Used for ball mill purposes). | 22. Slate (Used for building material). |
| 11. Kankar (Used in kilns for manufacture of lime used as a building material). | 23. Shale (Used for building material). |
| 12. Limestone (Used in kilns for manufacture of lime used as a building material). | 24. Stones (Used for making house-hold utensils). |
| | 25. Others (Unspecified). |



CHAPTER XIV

MINIMUM WELFARE AMENITIES FOR MINERS

Need for basic minimum welfare amenities.

14.1. In the preceding chapter we have discussed in detail the hazardous nature of the mining industry and the attendant problems that the workers engaged in this industry have to face. This industry is more accident prone and the workers are cut off from the main urban stream. They and their families, therefore, deserve a special attention in the field of welfare. Isolated as they live, they have often got to depend upon the diversions available locally and welfare amenities around their little world of mining area itself. Some of their colleagues who are fortunate enough to work in large scale mines have a comparatively better share of some fundamental and basic amenities, but by and large the miners, do not get even the basic minimum welfare amenities. This necessitates the laying down of a basic minimum welfare programme for workers employed in the mining industry whether in coal mines or in mines other than coal.

Statutory provision.

14.2. As at present welfare amenities are statutorily provided at work place on a limited scale, under the Mines Act, 1952. These amenities include drinking water, conservancy facilities, first-aid and medical facilities, creche, canteen and a welfare officer to look after the implementation of the statutory welfare amenities.

14.3. The amenities referred to above are not available generally to all workers employed in mines. Even amenities like drinking water and sanitation are not provided in all mines. At present a first-aid room is to be maintained in a mine where the employment is 150 or more workers. A canteen is to be provided where 250 or more workers are on the rolls of the mine. A rest shelter has to be provided only when the total number of workers employed is 50 or above. Appointment of a welfare officer is necessary if the total number of employees exceed 500. Under the above conditions where the provision of welfare amenities is based on employment, and if an establishment employs less than the stipulated number, statutorily these welfare amenities are denied to workers.

The I.L.O.

14.4. These amenities do not reach far enough if one has to go by the term labour welfare as defined in the International Labour Organisation Resolution of 1947. This Resolution defines labour welfare to include "such services, facilities and amenities as adequate canteens, rest and recreation facilities, sanitary and medical facilities, arrangements for travel to and from work and for the accommodation of workers employed at a distance from their homes, and such other services, amenities and facilities as contribute to improve the conditions under which workers are employed".

14.5. The International Labour Organisation, advised in its Recommendation No. 102, a broad outline for welfare of workers. This recommendation relates both to manual and non-manual

workers employed in public or private sector undertakings excluding those in Agriculture and in Sea and Transport Industry. These amenities are as follows :—

- I. **Feeding facilities :** Like provision of canteens and mess rooms in or near the undertakings, arrangements to sell food packets or snacks and tea in the work places through buffets, trolleys and mobile canteens, etc.
- II. **Rest facilities :** Such as provision of seats near the work posts where the workers (especially women and young workers) have reasonable opportunities to sit without detriment to their work and provision of rest rooms in or near the undertakings.
- III. **Recreational facilities :** Recreational facilities in or near the undertakings, and
- IV. **Transport facilities :** to and from work place : Where ordinary public transport is inadequate and provision of suitable parking facilities to workers having their own means of transport.

14.6. Judged from the ILO definition and recommendation and the definition that the Committee has adopted, the amenities provided to the miners under the Mines Act seem to be inadequate.

Asian regional conference.

14.7. The Asian Regional Conference held in Ceylon in 1951 under the auspices of International Labour Organisation adopted the resolution concerning the promotion of facilities for workers' welfare in Asian countries which urged for the provision of "the basic requirements in respect of workers' welfare facilities, such as sanitary and medical facilities, educational facilities, workers' housing and other accommodation, canteens and recreational facilities" and recommended that these should be prescribed by legislation defining :—

- (a) the minimum standards to be observed, in particular as regards construction, equipment and personnel; and
- (b) the scope of application, which should include the largest possible number of undertakings and workers, should be widened progressively.

14.8. If the standards laid down in the above Resolution are any guide to the provision of the basic minimum welfare amenities in a developing country like India, it will be agreed that the welfare amenities provided in the Mines Act touch only a fringe of the problem, for a part of the workers employed in the mining industry. The Mines Act, therefore, does not cover all the miners employed in the country. Even the limited welfare amenities provided in the Mines Act do not reach this sizeable number of workers whose working conditions are all the more deplorable. The economic position, the smallness of a mine,

the short duration of the lease and the ultimate life of a mine itself combined together militate against the provisions of any sizeable or even cognizable measure of welfare amenities for workers employed therein.

14.9. The Committee considered this problem in great detail and decided upon a number of basic amenities which it felt must be extended to workers employed in this hazardous industry. We have, however, not ignored the fact that it might not be possible to extend all the minimum welfare amenities to workers in all sizes of mining establishments with their varying output and economic capacity, all at once or even in the immediate future. Priorities will have to be laid down keeping in view the needs of different mines, the nature of each mineral, and the location of a mine.

Recommendations.

14.10. We feel that the basic minimum amenities that must be extended to all miners irrespective of the size or location of the mine and the number employed therein should include the followings :—

- (a) Wholesome and cool drinking water;
- (b) First aid medical appliances;
- (c) Housing and other living facilities.

14.11. There is no doubt that the provision of wholesome drinking water and first aid amenities will have to be provided and equipped according to a standard measure prescribed by the competent

authority. As for the living facilities, the standard and scale of these amenities will have to differ from mineral to mineral and in some cases from mine to mine as well. Mines employing less than 50 workers, with a short span of life from 3 months to 5 years, cannot certainly be expected to provide a standard pucca house. The purpose of laying down minimum facilities would be met even if a thatched house or an improvised hut, in the case of mines having short life or employing negligible number of workers is provided.

14.12. For mines employing more than 50 workers, it is necessary that the minimum should also include facilities other than those referred to above. These would include proper arrangements for latrines, disposal of night soil, urinals, and drainage, prevention and control of diseases prevalent/associated with the working situation and/or place of living, emergency medical care on the spot and family planning advice.

14.13. The Committee feels that employers employing 300 or more workers will take initiative to provide adequate educational and recreational facilities with suitable assistance from State Governments and the Miner's Fund.

14.14. We do not propose to discuss financing and mode of administration of these facilities in this chapter. We are, however, conscious of the fact that in the case of very small mines, efforts to provide some of the amenities, other than wholesome and cool drinking water, first-aid medical appliances and thatched houses, will have to be supplemented by the General Miners' Welfare Fund, which is proposed to be run by a Corporation.

सत्यमेव जयते

CHAPTER XV

EXISTING WELFARE MEASURES IN MINES

Statutory provisions.

15.1. The statutory welfare amenities for workers at the work-site in the mining industry are governed by the Mines Act, 1952. The position with regard to implementation and functioning of the statutory welfare provisions under the Mines Act is as under:—

Drinking water.

15.2. Section 19 of the Mines Act 1952 prescribes that in every mine effective arrangements should be made to provide and maintain, at suitable points conveniently situated, a sufficient supply of wholesome drinking water for all persons employed therein.

15.3. The Rules framed under the Mines Act prescribe that the quantity of drinking water to be provided in a mine or any part thereof shall be on a scale of at least two litres for every person employed at one time and such drinking water shall be readily available, at conveniently accessible points, during the whole of the working shift.

15.4. Where 100 persons or more are employed either above ground or in open cast workings at one time, an Inspector may, by an order in writing, require the drinking water to be effectively cooled by mechanical or other means available. The rules also prescribe that, if drinking water is not provided from taps connected with a water supply system, it shall be kept cool in suitable vessels sheltered from the weather and shall be emptied, cleaned and refilled every day.

15.5. The study undertaken by the Director General Mines Safety at the instance of the Committee regarding the implementation of statutory welfare provision in mines other than coal, has revealed that the existing statutory provisions regarding drinking water facility for workers at the work-place are generally inadequate and the functioning is also unsatisfactory. According to him, the source of drinking water is mostly from shallow wells but in some mines, it is from Public Water Supply. A few large managements have provided their own filtration and chlorination plants. As the supply is mostly from shallow wells and testing for fitness once a while is no guarantee for the purity of the drinking water, the managements are persuaded to chlorinate the water daily before use. According to the returns received by the Director General Mines Safety during the year 1967, 811 coal mines and 3,559 non-coal mines were required to provide drinking water. It was provided in 627 coal mines and 2,918 non-coal mines. 428 samples of drinking water, 235 in coal mines and 193 in non-coal mines, were analysed by Public Analysts. In 12 coal mines and in 3 non-coal mines drinking water was mechanically cooled.

Conservancy.

15.6. According to the Mines Act, there shall be provided separately for males and females in every mine a sufficient number of latrines and urinals of prescribed type, so situated as to be convenient and accessible to persons employed in

the mines at all times. The Mines Rules prescribe that the scale of latrine accommodation shall be, at least one seat for every 50 males and at least one seat for every 50 females employed at any one time. The employers in general have complied with the statutory provisions regarding latrines on the surface and also below ground. Where the work-places shift frequently, portable latrines are provided. The study conducted by Director General Mines Safety for observance of implementation of statutory welfare provisions, has revealed that workers on the whole do not use the latrines or urinals provided by the employers. He has pointed out in his report for the year 1967, that except in a few mines where surface latrines are provided in pit head baths, which are well maintained and also provided with sufficient water, the latrines continued to remain unpopular with the miners. Fouling of the country side went on unabated and consequently the environmental sanitation was poor. The managements on their part have remained indifferent and seldom cared to maintain the latrines properly. During the year 1967, out of a requirement of 4,056, surface latrines were provided in 2,567 mines. Underground latrines were provided in 499 mines against the requirement of 573. If the surface latrines were occasionally used the underground latrines were seldom, if ever, used.

15.7. The employers have also pointed out that below ground the miners seldom use latrines and, in so far as latrines on the surface are concerned, workers generally prefer to use open fields. This is partly owing to the fact that (in some of the mines) conditions are insanitary and workers do not prefer the latrines provided by the employers, and partly that the workers are generally used to conventional system of using open fields for the purpose. In order that such conservancy facilities are made use of by the miners in the interest of proper hygienic conditions near the work-site, the Committee feels that continued efforts are required to be made to propagate use of latrines by workers. This can be done by the workers' unions and by the employers also. Proper cleanliness and sanitation has to be maintained to a standard so that the workers do not hesitate to use such latrines and urinals.

Medical appliances, first-aid stations and first-aid rooms.

15.8. The Mines Act provides that in every mine there shall be provided and maintained, so as to be readily accessible during all working hours, such number of first-aid boxes or cupboards equipped with such contents as may be prescribed. Every such first-aid box or cupboard shall be kept in charge of a responsible person who is trained in first-aid treatment and who shall always be readily available during the working hours of the mine. The Act also prescribes that, in every mine wherein more than 150 persons are employed, there shall be provided and maintained a first-aid room of such size with such equipment and in the charge of such medical and nursing staff, as has been prescribed. The Rules framed under the Act prescribe that the first-aid room shall be situated at a convenient place on the

surface of mine and shall be used only for first-aid work. This room shall be in charge of a qualified medical practitioner assisted by at least one qualified compounder or dresser. The Rules also prescribe that one first-aid station should be provided at the top of every shaft or incline, at every screening plant and loading plant, and at every other place where more than 50 persons are employed at any one time. The Rules prescribe that in every open cast working, one first-aid station should be provided for every 50 persons or part thereof employed at any one time, and below ground one first-aid station at the bottom of every shaft or near the drive of every haulage.

15.9. The Study conducted by Director General Mines Safety reveals that requisition of ambulance vans is impracticable in most of the cases. It has been suggested that arrangements for removal of injured/sick persons from mines to hospitals shall be such that the patient can be conveyed comfortably in a spine condition and in a manner which is adequate to prevent shock. In so far as first-aid stations are concerned, the Study has revealed that in the case of non-coal mines the existing provision is quite adequate and the employers have generally been complying with the statutory provisions. The observance in regard to first-aid rooms is that in fully mechanised mines, even though the total employment in such mines is less than 150, a first-aid room should be provided. There may, of course, be cases, especially in seasonal mines, where the necessity of the provision of a first-aid room may not arise even if the workers employed are more than 150.

15.10. In view of the prevailing conditions, some Rules regarding medical facilities at the work-place have been modified by Director General Mines Safety through Circular Orders. Accordingly, an ambulance van may be provided at the mine itself for a group of mines either collectively or through a central agency like Welfare Organisation. The Orders also stipulate that the ambulance services should be available within one hour of any requisition. In case an ambulance is not readily available, alternate means of transport for transporting the injured/sick persons to hospital or dispensary may be made. Exemption from transportation by means of an ambulance may be granted in exceptional cases :—

- (a) where there are no roads connecting the mine with a hospital and
- (b) where a small mine is located in an isolated place and it would not be economically feasible to maintain an ambulance van by itself.

15.11. According to Director General Mines Safety during the year 1967, first-aid stations were provided in 711 coal mines and in 1514 non-coal mines. Due to vigorous campaigning during Mines Safety Weeks and First Aid Competitions, there was a growing awareness amongst miners about first aid. A distinct improvement of their competency was discernible.

15.12. In the year 1967, 526 coal mines and 390 non-coal mines were required to provide first aid rooms. These were provided in 400 coal mines and 179 non-coal mines. Some mines provided hospitals or dispensaries in addition to the first-aid rooms. The total number of such hospitals were

377. Some mines, however, did not meet the statutory requirements. It has been reported by Director General Mines Safety that the accommodation provided for the first aid rooms in many mines is poor. The equipments required to be maintained in the first aid rooms under the Rules are meagre and it is not possible for the doctors to do much with the equipments provided. The arrangement for dressing of septic wounds is mostly unsatisfactory. The methods need improvement to cut down the number of man-days lost in minor injury cases. Because the Rules do not prescribe appointment of doctors in mines but require that they should be readily available in mines, the managements generally have evaded the appointment of doctors. Some managements have, however, made some arrangement with the local practising doctors, to attend the first aid rooms. This arrangement in most cases is unsatisfactory, as practising doctors who are busy elsewhere, do not readily attend to person injured in mines. Under a recent amendment of the Mines Rules, the managements are required to arrange removal of ill or injured miners to hospitals by means of ambulance van. The managements have expressed their inability for providing their own ambulance vans due to financial considerations and low frequency of such cases in their mines. However, most of the owners have made some arrangements, to obtain an ambulance from nearby hospitals in times of need and also have provided in the mines alternative vehicles, for speedy removal of sick and injured person on a stretcher. Till 1967, 299 coal mines and 74 non-coal mines provided their own means of transport. Out of total number of 2,163 persons trained in first aid, 807 were employed in coal mines and 1,356 in non-coal mines.

15.13. The Committee has also observed during the course of its tours that not all the first-aid stations/rooms are located in permanent and convenient places, some are accommodated in improvised structures for a long time. The equipment required to be supplied at some of these centres was also found to be inadequate and not properly maintained. The very purpose of keeping these first-aid stations/rooms is defeated if these are not well-equipped and drugs are not replenished and kept up-to-date. The need of listing out occupational diseases and occupational risks, to which the miners are exposed, has been recognised. Work in mining being risky, the incidence of accidents is fairly high. It is, therefore, necessary to devise ways and means for providing first-aid to the injured persons and to deal with medical and surgical emergency cases. Besides the workers are also exposed to occupational diseases and require frequent medical check-up to avoid incidence of occupational diseases. The present type of first-aid stations/rooms need improvement in the light of changing circumstances.

15.14. The Coal Mines Labour Welfare Fund Rules, 1949, provide grant-in-aid to the owners who maintain the dispensary services of the prescribed standards. Many owners have not taken advantage of this grant as they have not been maintaining dispensaries of the prescribed standards. We, therefore, recommend that :

- (i) The existing Mines Rules be suitably amended to provide for a full-fledged dispensary and to appoint a full-time medical officer and compounder-cum-dresser and nurse for every mine employ-

ing 500 or more persons. For mines employing between 150 to 500 workers, a part-time medical officer and a full-time compounder-cum-dresser may be appointed.

- (ii) For smaller mines employing 150 or less workers spread over a contiguous area, a mobile medical unit be provided jointly for a group of mines under a qualified doctor.
- (iii) The list of medicines, drugs, appliances and equipments which continue changing due to the research and advancement in medical science, should be revised and brought up-to-date from time to time by the Medical Board. There should be a revision of list of standard drugs at least once in five years.
- (iv) The dispensaries which are getting grants-in-aid from welfare fund should also arrange family planning clinics in view of the importance of the problem. Expeditious arrangements should be made to reimburse expenditure to the mine owners concerned.
- (v) The specification regarding the provision and standard of First-aid-room be laid down to guide the mine owners.
- (vi) These above recommendations should apply to all types of mines in India and suitable amendments may be made in the Mines Rules under medical facilities for the miners.

Rest Shelters.

15.15. The Mines Rules prescribe that at every mine where more than 50 workers are ordinarily employed, there shall be provided adequate and suitable shelter at or near loading wharves, open cast workings, workshops and mine entrances where 25 or more persons are ordinarily employed for taking food and rest.

15.16. Rest shelters are of great help to the miners employed on the surface. Here, they can seek protection from inclement weather and also take food during the lunch break allowed to them under the law. The Director General, Mines Safety has pointed out in his report for the year 1967, that the miners employed in small mines, suffer much inconvenience, specially when these mines are located in isolated places without even a vegetation nearby. During the year 1967 rest shelters were required to be provided in 696 coal mines and in 1080 non-coal mines. These were provided in 624 coal mines and in 855 non-coal mines.

15.17. It has been pointed out that the rest shelter is also required at a mine where less than 50 persons are employed. We, therefore, recommend that rest shelters be provided in all mines irrespective of the number of workers employed therein. The type of rest shelter may be worked out according to the conditions obtainable locally.

Pit-head bath.

15.18. Under the coal mines pit-head bath Rules, 1959, it is obligatory for the management of a colliery, to provide pit-head baths separately for men and women employed in the colliery equipped

with shower baths and locker rooms according to the class of coal mine on production. The Rules also prescribe the standard of construction and maintenance of pit-head baths.

15.19. The total number of collieries, where the pit-head baths had been functioning at the close of the year 1967 were 301, and 36 were under construction. These pit-headbath Rules are applicable to Coal mines only. The Committee has observed, as is clear from the statistics; that these pit-head baths are not quite sufficient for the number of workers employed in coal mines. It has also been observed that these baths are not maintained properly. We recommend that since pit-head baths are absolutely essential for workers engaged in the extraction of coal, the provision regarding pit-head baths may be enforced strictly.

Canteens.

15.20. A mine employing 250 or more persons is required to provide a canteen of the approved standard under the Mines Rules, 1955. During the year, 1967, 397 coal mines and 217 non-coal mines were required to provide canteens. Of these only 334 coal mines and 167 non-coal mines were complying with the provision.

15.21. Under the Rules, every canteen is to be run by the management and the supervisory staff sufficient for the proper working of a canteen is also to be appointed by the management. When the workers offer to run the canteen themselves by organising cooperative society, they are permitted to do so with the financial assistance from the management. A canteen managing committee consisting of an equal number of members nominated by the management and an equal number elected by the workers is to look after the working of the canteen. The mines manager or his nominee is *ex-Officio* chairman of the canteen committee. This canteen committee determines the prices to be charged for food or the drink to be served in the canteen. While calculating the cost or price, the expenditure on utensils, furniture, coal, electricity and salary of the staff is not taken into account.

15.22. The Committee, during the course of its visits to various mining establishments in the country, observed that though the provision of canteen is obligatory under the law, in majority of cases the provision has not been complied with satisfactorily. The main reasons put forth by the managements have been as follows :—

- (a) The workers are not in favour of using the canteens as they prefer to get their meals from their homes.
- (b) In the absence of credit facilities, workers who cannot afford to carry cash with them every day are deprived of these canteen facilities.
- (c) Due to short supply of sugar and cereals, the managements find it difficult to run the canteen.

15.23. The Committee observed that in establishments where canteen is being provided, such canteens with light refreshments and tea are sufficiently popular with the workers.

15.24. We, therefore, feel that as the provision of canteen is a statutory obligation, it should not

only the run well but should also be able to provide at least one balanced meal a day to workers at rates cheaper than those charged by private shops in the nearby localities. As managements provide free electricity and water for the maintenance and building of the canteens, these canteens be run on "no profit and no loss" basis.

15.25. In order to popularise the canteens amongst the workers, we recommend that **credit facilities to the mining workers for purchasing of edibles be extended to maximum limit or 15% of the basic wages and dearness allowance subject to the overall limit laid down in the Payment of Wages Act, 1936.** Managements should also keep these canteens open for at least two shifts for the mines working round the clock.

Creche.

15.26. The Mines Creche Rules, 1966 stipulate that the owner/agent/manager of a mine, which employs a woman, should provide creche at the mine for the children under six years of age. The Rules also prescribe the standard of construction and maintenance of creche in the mines.

15.27. By the year 1967-68, 450 creches were in commission in various coal mining establishments and 24 were at different stages of construction. In the case of mines other than coal, 1219 metalliferous mines were required to provide creches, but these were provided in 358 mines by the year 1967. The enforcement of the provision of Rules in metalliferous mines is the responsibility of the Director General, Mines Safety. In coal mines the enforcement is done by the Coal Mines Welfare Commissioner.

15.28. The Committee visited a number of mines and saw the working of creches in mines. The Director General, Mines Safety also undertook a sample survey of five per cent of non-coal mines through its various regional offices to review the functioning of creches in mines, other than coal. From his comments as well as the impressions gathered through observation visits, the Committee is of the opinion that the statutory provisions in so far as creches are concerned are not adequately complied with. The Committee has also observed that at some places where creches have been provided they have not been made use of by the workers. It has been stated that women workers generally do not bring their children with them while coming to work from the villages. Secondly, the women workers are generally conservative and suspicious and do not want to entrust their children in the care of somebody else. The Committee observed that such creches as were located in the labour colonies were quite popular among the women workers.

15.29. The workers' representatives have stated that the creches were not popular mainly because these were not maintained well. The number of women workers in the mines has been progressively going down. This has been owing to the fact that the employers are continuously reducing the employment of women workers to avoid the cost of running a creche and their obligations under the Maternity Benefit Act. Since they are required to pay equal wages to both male and female workers for a similar nature of work, they generally prefer to employ male workers. These facts have resulted in the neglect of creche as a welfare amenity.

15.30. We, therefore, recommend that **since maintenance of creche is a statutory obligation on the part of the mining employers employing women workers, the enforcement machinery should ensure that the creches are provided and maintained well by the mining employers.** Child health clinics and family planning counselling centres for women workers may also be started in the creches.

15.31. The Committee has made a general recommendation in the chapter on creches that kindergarten facilities are essential for an overall development of children and should form an integral part of the creche facilities to all the children belonging to the age group of 3 years and above attending creche. This and other recommendations made in general chapter on creches equally apply to mining industry.

15.32. We have also made a recommendation on the provision of community creche-cum-kindergarten in labour colonies or near the workers' residential areas at central places for the children of employed mothers (and workers whose place of duty is far away from their residences), by State Governments, municipalities and other local bodies. For mining industry, we have separately recommended constitution of a General Miners' Welfare Fund on the lines of Coal, Mica and Iron Ore Welfare Funds. The Coal Mines Labour Welfare Fund has already undertaken a pilot project of five such creche-cum-kindergarten institutes for the children of all workers—both male and female—in different coal fields of the country. The Committee wishes success to this project and hopes that it will expand rapidly with the active cooperation of the employers and the workers. We further recommend that **community creche-cum-kindergarten institutes may also be started by the Mica and Iron Ore Welfare Funds and recommend the same for other mining industries through the General Miners' Welfare Fund when constituted.**

Welfare amenities by employers.

15.33. Welfare amenities in the case of Coal, Mica and Iron Ore are organised by the three statutory Funds constituted in these three minerals. The details about the activities of these funds are dealt with in a separate chapter. However, prior to the constitution of these funds some of the employers have been organising welfare amenities on their own. According to the Indian Labour Year Book, in 1952, 28 Coal Mines had provided recreational and cultural avenues, 167 had provided play-grounds for the workers, 279 mines had provided schools for children, and 13 mines had provided adult education or workers' education centres. Considerable progress has since been made by employers in providing these facilities.

15.34. Some of them have established up-to-date dispensaries, hospitals, maternity clinics, rest shelters, approach roads and constructed houses etc. for the welfare of their workers. Unfortunately the statistics of these welfare amenities are not readily available. Some of the employers have also introduced social 'security' measures and afforded credit schemes for their workers to help them in their distress etc.

15.35. In the case of coal, gold and copper, managed by public sector undertakings, the Committee has observed that the managements have been paying due attention to the non-statutory

welfare amenities like medical facilities, housing, recreation and education etc. The Committee is satisfied that the welfare amenities organised by the public sector undertakings are by and large quite satisfactory.

15.36. In the case of limestone mines, it may be pointed out that these mines are more or less managed by Cement Manufacturing establishments. The managements have adequately provided medical, educational, drinking water, and housing facilities for their workers.

15.37. Some of the employers in the coal industry have made notable contribution both with money and material in the organisation of sports, recreational and cultural activities of the Coal Mines Labour Welfare Fund. The Committee hopes that the mining industry would continue to give their cooperation in these welfare programmes.

15.38. In the absence of detailed statistics regarding the provision of non-statutory welfare amenities by the employers, the Committee is not in a position to draw any inference.

Welfare in other major minerals

Gold Mines.

15.39. The Mysore Gold Mines Rules, 1952 came into force in 1953. The Rules provide for the financing of the activities to promote the welfare of labour employed in the Gold Mining Industry. There are in all three Gold Mines in India and all of them are situated in Mysore. About twelve thousand workers are employed in these three Mines.

15.40. The Kolar Gold field have provided to their employees various welfare amenities such as housing, medical, educational and recreational. The Central Hospital which is under the charge of a Chief Medical Officer has been maintained by the Kolar Gold Mining Undertaking. It has also provided furnished maternity homes.

15.41. For the purposes of ensuring steady supply of commodities to the consumers, three cooperative societies have been established which are rendering useful service.

15.42. As regards sports, well-equipped mines sports clubs are maintained for the employees of the Undertaking. The central sports association sponsored by the employees of the Undertaking took abiding interest in the promotion of the sports. Training in Ambar Charkha is also imparted at the Mysore Gold Mines.

15.43. In the field of education, primary education is imparted free to the children of the employees of the Undertakings. The Undertaking has also arranged night-school's facilities in all the Mines. A high school at Nundydurg Mines is functioning in association with the State Government of Mysore. In addition, mid-day meals schemes have been introduced in many of the schools.

15.44. The Kolar Gold Mining Company had provided 10,802 houses by the end of 1968 of which 4488 were pre-fabricated masonry type. The remaining 6594 houses were *katcha*.

15.45. In Hutti Gold Mines, the Company has provided houses to 60% of its employees. The amenities provided there in regard to canteen, grain-shop, creche, education and recreation for the workers are of a high standard.

Copper, Limestone, Manganese etc.

15.46. The Coal, Mica and Iron Ore Mines Welfare Funds and the Mysore Gold Mines Rules are providing welfare facilities in Coal, Mica, Iron Ore and Gold Mining Industries, but the welfare facilities for workers employed in other major minerals in the country is still a voluntary effort on the part of employers. Some of the employers and big units are providing welfare facilities to the workers but such employers are few in number. The workers under small and medium type of mines remain deprived of any organised welfare measures. Such establishments are in majority scattered all over the country. An organised welfare work for them is also desirable.

15.47. The Mines like Copper, Diamond, Zinc, Emerald, Flourite, Garnet (gem), Chromite, Iron Pyrites, Kyanites, etc. are very few in number but these form a separate entity. The welfare amenities in these mines have been provided by the employers and majority of them not only provide the basic minimum but have given adequate facilities in the shape of schools, libraries, games and sports, film projectors, marketing facilities, grains and essential goods stores, approach roads, houses and medical facilities. Some of them donate extra funds for the celebrations of festivals, Republic Day, Independence Day and for other cultural activities.

15.48. Another group like manganese (employing about 45,000 workers), Limestone (51,000 workers), Gypsum (5,300 workers), Chinaclay and Whiteclay (8,000), Dolomite (6,000), Magnesite (8,000), etc. are in large number and are scattered in different parts of the country. By and large, such type of mines employ a good number of workers. During the visits of the Committee to these areas, it was found that even the basic amenities in majority of these major minerals were absent. The workers representatives pointed out several difficulties in their working conditions and absence of amenities. It was not possible for these small trade unions to bring pressure on the employers to provide welfare facilities nor there could be any collective bargaining. The provision of welfare facilities, if any, was at the pleasure of the management.

Welfare schemes in minor minerals

15.49. The term 'Minor Minerals' is defined in the Mines and Minerals (Regulations and Development) Act, 1957. Mainly, these include building stones, gravel, sand, ordinary clay, limestone (used as building materials), road metal etc. A complete list is given in annexure II to the chapter on Introduction.

15.50. All minor minerals are worked as open-cast mines and do not come under the purview of the Mines Act, 1952, unless the number of persons employed at the mine on any one day exceeds 50, or the working do not extend below superjacent ground or the depth of the excavation measured from the highest to the lowest point nowhere exceeds 6 meters, or explosives are used in connection with the excavation. Consequently, the

mine managements as are exempted are not required to send returns to Directorate General, Mines Safety about employment, output, welfare amenities etc., as these mines are required under the Metalliferous Mines Regulations, 1961.

15.51. For working mines of minor minerals, permits are usually issued by local authorities like the District Collector, Municipal Corporation, Railway etc. In some States the Directorate of Mining and Geology grants leases for a year or so for excavating stone etc. from the leasehold.

15.52. These mines are generally small in size, worked manually by employing both males and females, who are mostly paid on piece-rate system. During rainy season work in most of these mines closes down as the quarries get filled with water and the approach roads to the mines become inaccessible. The mining activity is at its peak during the summer months.

15.53. During the course of our visits to mining areas in the country, it was represented before us that the leases for minor minerals are granted for short time even though the life of the mine may be long. It often so happens that after the expiry of the lease it is sanctioned in the name of some other lessee. Under the circumstances it becomes difficult for the mine owners to plan and organise welfare amenity for their workers. In order that the lessee is able to organise welfare measures for the miners, it is desirable that the lease is granted for a longer duration.

We, therefore, recommend that in case of minor minerals, the lease granting authorities may issue lease for a minimum of five years. In other cases where the life of the mine is expected to be short, the competent authority may be empowered to grant exemption as may be deemed desirable.

15.54. Since the mines are mostly situated in rural areas and the workers are drawn from the nearby villages, mine managements have not felt the necessity of providing tenements to their workers, except in the case of large mines which are worked throughout the year with or without the help of machines.

15.55. The source of drinking water is usually wells, water filled-disused-quarries; natural springs etc. Drinking water is stored in earthen pitchers near the working sites. In years of scanty rainfall, the summer months find drying up of all sources of water causing sometimes great difficulty and expense in transporting water from the nearest available perennial source, and sometimes suspension of mining activity.

15.56. Besides the small first-aid kits nothing is available at most of the mines. The nearest dispensary/hospital provided by the State Governments is the only place where medical treatment may be available.

15.57. Canteens and Creches are provided in the larger units which come under the purview of the Mines Act and which have got lease for a long period, employ large number of males/females, have sufficient area of leasehold for the construction of various centres. Of course the number of such mines is insignificant as compared to large number of mines working minor minerals. Except in a few of the large mines educational and recreational centres are practically non-existent.

15.58. Minor minerals are produced in almost all the States in India. Rajasthan, Madhya Pradesh, the Union Territory of Delhi are some of the States, where minor minerals are produced on a large scale. In these States alone nearly one lakh persons are employed in over 10,000 mines. The number of persons employed in Bihar and Maharashtra is also expected to be of the same order, though no authoritative information is available on the subject. According to an estimate the number of persons employed in mines of minor minerals in India is in the region of 5 lakhs. The Committee is alive to the needs and aspirations of the workers. The magnitude of the problem posed by the large number of small mines, of uncertain life and seasonal workings, scattered like small dots on the map of the country is really enormous. The minimum welfare amenities for miners recommended by the Committee in an earlier chapter are to be provided by the employers. Additional amenities recommended by us, will have to be provided to these workers according to a phased programme with the assistance of the proposed General Miners' Welfare Fund.

CHAPTER XVI

ENFORCEMENT MACHINERY

Need for the enforcement machinery.

16.1. Enforcement Machinery for mining establishments is a part of the Labour Administration of the Government of India. The Director-General, Mines Safety, who is also the Chief Inspector of Mines under Mines Act, is responsible for the enforcement of statutory provisions relating to safety, health and welfare measures in mines. Since statutory welfare measures form the very base of welfare amenities available to mining workers, it is necessary to ensure that they are effectively implemented. This can only be done if there is an adequate enforcement machinery. Hence the need to review the adequacy or otherwise of existing enforcement staff.

Provisions in the mines act.

16.2. According to the Mines Act 1952, the Chief Inspector of Mines and the Mines Inspectors to whom the Chief Inspector delegates powers, may make examination and enquiry in order to ascertain whether the provisions, rules and bye-laws, and orders made thereunder, are observed. The Inspector may examine and make enquiry regarding condition of any mine or any part thereof. It is his responsibility to enforce properly the provisions in all matters relating to health, safety and welfare of persons employed in mines.

16.3. The welfare provisions in the Mines Act, 1952 are as follows :—

- (a) Health and Sanitation Provisions.
- (b) Provisions relating to first-aid and medical facilities.
- (c) Provisions relating to welfare amenities, such as, rest-shelters, canteens, creches, welfare officers, etc.

16.4. For enforcement of the statutory welfare measures in coal mines, the Central Government has declared some officers of the Coal Mines Welfare Organisation to be *ex-officio* Inspectors of Mines, subordinate to the Chief Inspector of Mines for the purpose of the Mines Act. The Coal Mines Welfare Commissioner enforces the following statutory welfare measures in the coal mines:—

1. Pit-head baths,
2. Creche, and
3. Maternity benefits.

Inspection by Director General, Mines Safety.

16.5. According to the Annual Report of the Director General, Mines Safety for the year 1967-68, the total number of inspections made by the various inspecting officers in the years 1966 and 1967 are indicated in the table below :—

Category	Number of mines inspected		Number of inspections made	
	1967	1966	1967	1966
1	2	3	4	5
Coal Mines	785	821	6,334	6,731
Non-Coal Mines	3,287	2,960	5,036	5,020
TOTAL	4,072	3,781*	11,370	11,751

16.6. These inspections are mainly confined to observance of technical provisions of the Mines Act, 1952. The Inspectors, while paying inspection visits to mining establishments were also required to take note of the compliance of welfare provisions of the Act.

16.7. The medical and welfare measures in mines are inspected by the doctors of the Medical Inspectorate of the Directorate General, Mines

Safety. For the year 1967 they had made 549 and 186 inspections of 491 coal and 170 non-coal mines respectively.

Enforcement by Coal Mines Welfare Commissioner.

16.8. The position regarding the enforcement of Pit-head Baths and Creche Rules in coal mines for the last four years from 1965 to 1968 is indicated in the following tables.

Table I—Pit-head Baths

Year	No. of mines required to provide P.H. Bath	No. of mines exempted from the provision of pit-head Bath	No. of mines where P.H. Baths have been provided	No. of mines where P.H. Baths are yet to be provided	No. of mines prosecuted for non-provision of P.H. Bath
1965	574	138	273	163	100
1966	574	138	299	137	55
1967	570	134	305	131	65
1968	572	136	306	130	56

* According to Director General, Mines Safety about 760 mines could not be inspected in various regions in the year under review due to (i) shortage of inspecting officers, (ii) seasonal operation of mines, (iii) opening/re-opening of mines towards the close of the year, and (iv) closure of the mines before inspection.

According to recent amendment to Coal Mines Pit-head Bath rules some mines have been exempted from the operation of these rules due to inadequacy of water supply and short span of life of the

mines. They are required to provide alternate bathing facilities. Some other Mines are allowed to have joint pit-head baths.

Table II—Creches

Year	No. of mines required to provide Creche	No. of mines exempted from the prov. of Creches	No. of mines where Creches have been provided	No. of mines where Creches are yet to be provided	No. of mines prosecuted for non-prov. of Creches
1965	605	8	434	163	73
1966	605	8	439	158	65
1967	603	6	449	148	52
1968	604	7	456	141	51

In the case of creches also exemptions have been given due to shortage of life. Some others have been permitted under the rules to have joint creches due to close proximity of mines.

Survey by Director General, Mines Safety.

16.9. At the instance of the Committee, the Director-General, Mines Safety conducted 5% survey in mines other than Coal for ascertaining the extent of implementation of statutory welfare provisions in these mines. The conclusions of the survey reveal that in mines, which are mostly seasonal, rules relating to provision of welfare amenities are violated. The workers are not even provided the basic welfare amenities as stipulated in the Act.

Evidence.

16.10. The Committee during the course of its visits to a number of mining establishments, also observed that regulations regarding provisions of welfare amenities to the miners are not strictly observed. The officers of the Mines Department, who are responsible for the enforcement of welfare provisions in the mines, are generally qualified technical engineers in mining operations. No special separate staff has been appointed in the Director General, Mines Safety for proper enforcement of welfare provisions in mines. At present the technical officers of the Directorate General, Mines Safety look into the non-technical matters only at the time of carrying out the general inspections of mines. The inspections are carried out to ensure the compliance of technical provisions of Mines Act, and regulations framed there-under relating to safety in mines. In order that the Inspectorate is in a position to enforce the welfare provisions effectively, and is able to guide the managements in organising welfare amenities for workers, we are of the view that the Inspectorate may be strengthened with such personnel as are qualified in the subjects of labour welfare. It has been pointed out by the Director General, Mines Safety that such inspections are carried out in a mine not more than once a year. In some cases the inspectorate is even not in a position to visit a mine during the course of full one year. According to him, more inspections in a mine during a year cannot be ensured owing to the

paucity of inspecting staff. The inspectorate is not in a position to carry out surprise checks to ensure compliance of statutory welfare provisions. However, when some complaint regarding the non-implementation of welfare provisions is received, attempt is made by the inspectorate to look into the matter.

16.11. The Committee has already recommended about the universal coverage of workers engaged in mines, irrespective of size and location of the mines for the provision of basic minimum welfare amenities. This would require additional inspecting staff for ensuring effective compliance of welfare provisions.

Levy of registration fee.

16.12. It has been suggested to the Committee that to strengthen the enforcement machinery some additional funds may be placed at the disposal of the Directorate General, Mines Safety. This can be done by imposing a registration fee on the lines in vogue in factories. The funds collected through the registration fee would help in strengthening the inspectorate.

16.13. The Department of Labour and Employment in the Government of India in their memorandum to the Committee has stated as follows:—

“There is still further scope for increasing the frequency of inspections. Also, as in the case of factories, for enforcement of non-technical provisions, there is need for having a separate cadre of non-technical inspectors. The question of levying a licence fee (Registration fee) in the case of mines on the analogy of the fee levied in factories, which can be utilised for strengthening the Inspectorate also deserves consideration. The Committee on Labour Welfare may give consideration to all these aspects and make recommendations for strengthening of the enforcement machinery for labour laws, both at the centre and at the states, indicating the yardstick to be adopted”.

16.14. It has been pointed out to the Committee that to augment the fund for financing the inspectorate services for mines, some allocation of the

royalty paid by the mine owners be ear-marked for the purpose. The royalty is paid by the mine owners to the State Governments but it is appropriated by them to their general revenue. The Committee requested State Governments to ear-mark a part of the royalty for the purpose. The State Governments have expressed that mining is a wasting asset and once the mineral is extracted it is lost to the State for ever. The royalty and fees etc. collected from the mine owners is merely a compensation for this loss. They have on this ground expressed their unwillingness to part with any share of the royalty for financing the enforcement machinery.

16.15. Supervision of the mines, so far as safety and welfare of the workers and conservation of minerals are concerned, is the responsibility of the Central Government. Mining being a highly risky occupation, it should be subjected to a programme of very close inspection. The frequency of inspection, however, may depend on the type of mines and the nature of problems encountered such as strata control, inundation, ventilation, control of gases, dust and fires etc. With the existing staff and the resources available, it has been possible for the Central Government to carry out the desired number of inspections and keep a close supervision over all the mines due to paucity of funds and difficulty of attracting the right type of personnel to join the inspection service.

16.16. The enforcement machinery also assists employers in various ways in advising them on the adoption of proper measures to safeguard against accidents and for this purpose the Directorate General, Mines Safety conducts regular research, the benefit of which goes to the employer. This benefit helps them not only in reducing the accidents and thus saving compensation, that they may have to pay to the injured workers under the Workmen's Compensation Act, but also in saving considerable number of man-hours which might have otherwise been lost and production hampered, had these measures been adopted by the managements. Such positive services also help managements in deriving the benefits of the services of skilled workers continuously.

16.17. By levying a suitable registration fee on the mining establishments it would become possible to build up sufficient fund which may in turn be utilised for reinforcing the mining Inspectorate.

16.18. The Committee sought the views of the Director General, Mines Safety regarding levy of registration fee for strengthening these inspectorate services for enforcement of statutory provisions in the mines. In his reply he has stated that against the estimated value of Rs. 3365 million worth of minerals produced in the country in the year 1967 the amount spent on administration of the safety legislation hardly comes to Rs. 55 lakhs a year. It may be possible to strengthen the present inspectorate if additional funds would be made available. Due to financial stringency in the country additional resources can be met by levying a registration fee on individual mines on the lines in vogue in factories. Basis and quantum of registration fee will depend on whether it is proposed to meet the entire expenditure of such inspection services from the proposed fees realised or only a part of it. If the entire amount has to be met by registration fee the mining industry may

have to contribute a substantial sum of money towards this.

Collection of levy.

16.19. The method of collection may be in the form of a registration fee, while the quantum of fee may depend on the size of the mines. For example, coal mines can broadly be classified as first-class mines, second class mines, and permit mines depending on the quantity of coal produced. For non-coal mines, the classification can be made on the basis of number of persons employed by mining establishments. There can also be some relationship to the quantity and the value of the mineral produced; this can be worked out.

16.20. The Committee is conscious of the fact that there may be some opposition from the mine owners for such a levy. But the purpose for which such levy is to be utilized should, as far as possible, not dampen the incentive to expand the mining industry. The charge of the fee may not be very heavy so as to affect the total economy of mining industry.

16.21. We, therefore, recommend that **suitable registration fee in the case of mines, on the lines in vogue in factories, be imposed for strengthening the enforcement machinery for the implementation of statutory welfare provisions in the mining industry.**

Directorate General, Mines Welfare.

16.22. Since the Directorate General, Mines Safety has to ensure the compliance of technical provisions of the Mines Act also, it is not always possible that the Inspectorate under him is in a position to enforce the welfare provisions of the Mines Act. Keeping this in view the Government has, of late, been inquiring into the question of transferring enforcement of some of the non-technical provisions of the Mines Act, 1952 from the Directorate General, Mines Safety. In 1957, a working group, which comprised Chief Labour Commissioner (Central), Director General, Mines Safety, Coal Mines Welfare Commissioner and a representative each of the employers and workers, recommended that the enforcement of non-technical provisions of the Mines Act, in the case of mines other than coal, should be transferred from the Directorate General, Mines Safety to the Organisation of Chief Labour Commissioner (Central). The First Safety Conference held in 1958 had also suggested that the enforcement of these non-technical provisions relating to welfare should be taken away from the Directorate General, Mines Safety. The Government has accepted, in principle, the recommendation of the said conference, but the Chief Labour Commissioner has till now not been able to assume this responsibility owing to the shortage of inspecting staff.

16.23. We, therefore, recommend that **the Directorate General, Mines Welfare be set up for organising welfare activities for workers engaged in the mining establishments. This administrative agency would be in a befitting position to ensure the effective enforcement of the statutory welfare measures in all mining establishments.**

16.24. The Mines Act, 1952 has laid down provisions relating to first aid and medical appliances. These provisions are closely connected with

accidents and injuries in mines. The Director General, Mines Safety may continue to look after these measures, as these are closely related to safety in mines. Similarly he may also ensure the compliance of statutory obligations regarding provision of drinking water to underground workers.

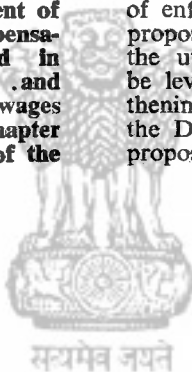
16.25. With this in view, we recommend that:—

- (a) The provisions relating to health and Sanitation prescribed in Chapter V of Mines Rules, 1955, which include the supply of drinking water and its storage at work-sites on the surface, construction of latrines and urinals on surface and other provisions relating to general sanitation may be administered and enforced by the proposed Director General, Mines Welfare on the surface. For underground, such provisions may continue to be administered by the Director General, Mines Safety.
- (b) The provisions relating to first-aid and medical appliances in Chapter VI of the Mines Rules which are closely connected with the accidents and injuries in Mines, may continue to be administered by the Director General, Mines Safety.
- (c) The provisions relating to employment of persons, weekly day of rest, compensatory days of rest etc. mentioned in Chapter VII of the Mines Rules and provisions relating to leave with wages and overtime etc., mentioned in Chapter VIII fall under the broad purview of the

Payment of Wages Act and may, therefore, be looked after by the Industrial Relations Machinery under the Chief Labour Commissioner (Central).

- (d) All other non-technical provisions including rest shelters, canteens, welfare officers, their duties and conditions of service etc. mentioned in chapter IX should be enforced and implemented by the proposed Director General, Mines Welfare in all Mines in India.
- (e) The inspecting and enforcement officers attached to Directorate General, Mines Welfare and Chief Labour Commissioner (Central) may be declared as Inspectors of Mines under section 5(1) of the Mines Act, 1952. Alternatively, the proposed Director General, Mines Welfare and the Chief Labour Commissioner may be declared as competent authority for administration of different sections as indicated above under Mines Rules, 1955. For implementing and enforcing the above recommendations, the Mines Rules, 1955 be suitably amended.

16.26. With the setting up of the proposed Directorate General, Mines Welfare the responsibility of enforcement would automatically vest with the proposed authority. The Committee hopes that the utilisation of the registration fee which may be levied on the mining establishments for strengthening the Inspectorate, would be shared between the Directorate General, Mines Safety and the proposed Directorate General, Mines Welfare.



CHAPTER XVII

HOUSING

Introduction

17.1. The programme of housing for miners constitutes features which are not quite akin to those in other industries. The nature of mine and the probable length of its life have a direct bearing on housing policy. Housing, being one of the primary needs of a worker, accounts for improvement in the physical environment of a worker, which in turn influences his health and efficiency.

17.2. The provision of housing to the miners has ever since been considered an essential requisite—primarily so because provision of a good shelter would attract the workers to the mining industry. In the beginning, only a small portion of workers used to reside permanently at the mines. The majority constituted small cultivators or agricultural workers who used to return to their villages for cultivation and harvesting of their crops. This presented considerable amount of difficulty to the mining employers, as they were not sure of the constant supply of labour to the industry. With the lapse of time, a new generation of workers emerged. They preferred to settle down as resident labour near their work-sites. Workers started constructing their own huts near the mines. Some mine owners constructed huts of their own and/or provided the workers with some building material for the construction of huts. There was a haphazard growth of labour settlements around the mining areas. There was no satisfactory arrangement of sanitation in these workers' colonies, nor was there any adequate arrangement for water, electricity etc.

17.3. Some employers did take positive measures to provide this important welfare amenity to the workers but the progress was negligible. The type of houses they built were in the shape of "arched dhowrah". These were built of bricks and cement concrete but were dark, unventilated and were not fitted with windows. "Dhowrahs" comprised of a small single room, which served as a kitchen, store room, living and sleeping room. The cooking used to be done either in the room or outside the "dhowrah". The ventilation being quite defective, the inner walls used to be coated with smoke and soot. These "dhowrahs" were erected back to back and with increase in the number of workers and "dhowrahs", the defects multiplied. The appalling living conditions of workers attracted the attention of Government for making improvements in the living conditions of mining workers.

Bengal Mining Settlement Act, 1912

17.4. The Government of Bengal brought into being the Bengal Mining Settlement Act in 1912 which laid down standards of housing accommodation in collieries situated in that State. The Act provides for regulations regarding construction of houses and sanitation of buildings within mining settlement areas. It also provides for construction of standard houses by the Government and re-

covering the cost thereof from defaulting employers. The Act continues to be in force. For Raniganj mining area, Asansol Mines Board of Health was constituted in 1915 for enforcing the provisions of the Act. The Board brought about some improvements in living conditions of workers, but these continue to be far from satisfactory.

Bihar and Orissa Mining Settlement Act, 1920

17.5. The Bihar and Orissa Mining Settlement Act was also enacted in 1920 on similar lines. This Act *inter alia* provides "that every owner of a mine within a Mining Settlement shall provide for resident labourers employed in mines such housing accommodation, water supply and sanitary arrangement and medical assistance as the Board may, by law, require." Jharia Mines Board of Health and Hazaribagh Mines Board of Health, were constituted under this Act for regulating the construction of houses and sanitary arrangement in Jharia and Hazaribagh mining areas. The by-laws framed by these Boards of Health required the employers to provide houses to the workers, which may contain adequate ventilation facilities, verandah on both sides, separate kitchen, proper sanitation and water facilities. The standards laid down under these Mining Settlement Acts have not been fully complied with by the employers. The penal clauses under this Act are not enforced effectively.

Royal Commission on Labour

17.6. The Royal Commission on Labour observed in 1931: "The difficulty of obtaining sites with a solid foundation is a handicap to substantial housing schemes. Subsidence caused by underground workings are constantly encroaching on suitable sites and have resulted in damage to existing accommodation". This observation of the Commission led to an amendment in the Land Acquisition Act in 1933. This Act enables the mining managements to acquire land for the purpose of constructing houses for their workers, and for amenities connected with construction of houses.

I.L.O. on Housing

17.7. In May, 1947 the I.L.O. discussed general problems of miners' housing with special emphasis to Coal Industry. It observed: "The insufficient quantity or lack of comfort of housing available in mining industry is one of the most serious obstacles both in maintaining this labour force and increasing it by large scale recruitment of additional workers". It also stated: "It is indispensable and urgent that an organised effort on a large scale, be made to overcome housing crisis and to lay down the general lines of a housing policy for miners which will increase the standard of comfort of the dwellings of miners and their families and will also aim at satisfying both the immediate and the long term needs of these persons".

1. Report of the Royal Commission on Labour—Page 279.

2. Extracts from Resolution on Industry, Health Safety and Welfare—General Problems of Miner's Housing adopted by the Coal Committee of I.L.O. on May 3rd, 1947, p. 457 of the International Labour Code 1951, volume II (Appendices).

Housing in Coal Mines

17.8. The housing in coal mines has made considerable progress, specially since 1947, when the Coal Mines Labour Welfare Fund Act was brought into being for constituting Labour Welfare Fund for Coal miners. The revenues of the Fund have been divided into two portions—50% for housing programmes and 50% for general welfare. The Fund has been paying adequate attention in assisting the employers to build houses for coal miners. It has also built houses for them. Specific provision for the creation of a housing account for providing assistance to colliery owners for constructing houses has been made by the Organisation. It has so far been able to construct about 50,000 houses in various coal fields in the country.

17.9. The Organisation is having following housing Schemes.

(i) Township Schemes.

The Coal Mines Welfare Fund decided to set up coalfield townships for coal miners near their places of work. The township were designed and provision for essential amenities was made. Under this scheme the Organisation has constructed about 2,100 houses in six townships in various coal fields. Bhuli in Bihar, with 1566 houses is the largest township.

(ii) Subsidised Housing Scheme.

Under this scheme subsidy is granted to colliery owners for construction of houses to the extent of 25% of the prescribed ceiling cost of construction. Under this Scheme only 1638 houses have been constructed so far. The scheme has not proved popular with the employers.

(iii) Subsidy-cum-Loan Scheme.

The "Subsidy-cum-loan Scheme" envisages payment of a subsidy of 25% towards the cost of construction (subject to a ceiling limit of Rs. 735/- per house) and a loan equal to 37½% of the cost of houses (subject to a maximum of Rs. 1102.50 Paise per house) to the colliery owners. 2,070 houses were constructed under this Scheme. The response to this scheme is also not very encouraging.

(iv) New Housing Scheme.

The New Housing Scheme envisages construction of houses in different coalfields and the major portion of the cost is met by the Organisation. This Scheme provides for construction of 30,000 houses in the various coalfields in the country at

a cost of about Rs. 10 crores. It was introduced in the year, 1959. Under this Scheme, the colliery owners are paid a larger portion of the cost of construction of houses subject to a prescribed ceiling. 29,247 houses have so far been constructed under this Scheme. The Organisation has sanctioned construction of additional 18,000 houses. Of these 3,068 houses are under construction.

(v) Low Cost Housing Scheme.

In the year 1961, the Organisation introduced a scheme known as the "Low Cost Housing Scheme" envisaging construction of 40,000 houses at a cost of Rs. 1600/- per house. This scheme is specially meant for coal mines having a short span of life. Against this scheme also 11401 houses and 61 barracks (one each suitable for 12 bachelor workers) have been constructed.

(vi) Build Your Own House Scheme.

This scheme was sanctioned in 1962-63. The special feature of this scheme is that the workers become the owners of houses so built, even after they ceased to be colliery workers. This Scheme did not gain popularity amongst colliery workers.

(vii) Housing Cooperative Societies.

The scheme of Housing Cooperative Societies of Coal miners envisages grant of financial assistance at the following rate:

(i) 25% subsidy.

- (ii) 65% loan of the accepted cost or the prescribed ceiling cost of Rs. 4,250/- whichever is less. The subsidy and loan is given by the Organisation to a registered housing co-operative society of coal miners whose income does not exceed Rs. 350/- per month.

Under this scheme 120 houses have been sanctioned and allotted to Manbhum District Coalfield Workers' and Miners' House Building Cooperative Society Limited, Jamadoba, Dhanbad. This scheme also has not caught the imagination of workers so far.

17.10. Thus, about 40,000 houses have so far been constructed under these housing Schemes and about 10,000 are still under construction. The following table indicates the number of houses constructed by the Organisation in various coalfields in the country under various Schemes upto January, 1969.

TABLE I

Sl. No.	Name of Coalfields	Under New Housing Scheme		Under Low Cost Housing Scheme		Barracks completed	Barracks under construction
		Houses completed	Houses under construction	Houses completed	Houses under construction		
1	Jharia	8,610	1,249	3,995	1,627	42	12
2	Mugma	1,097	212	224	98	5	4
3	Bokaro	2,082	20	1,134	86	..	..
4	Karampura-Ramgarh	1,674	100	989	496	..	..
5	Korba	..	..	100	..	..	..
6	Raniganj	12,301	2,068	4,086	2,230	29	55
7	Sambalpur	250	10	130	50	..	..
8	Talcher	283	24	..	..	..	..
9	Vindhya Pradesh	419	153	340	125	..	..
10	Assam	30	..	40	..	..	..
11	Andhra Pradesh	2,308	3,668	1,044	..	..	..
12	Korea	1,334	108	330	160	..	..
13	Pench Valley	13	..	644	38	..	..
14	Chanda	13	..	644	38	..	..
15	Rajasthan	..	25	..	..	..	..
TOTAL		30,834	7,035	13,092	4,910	76	95

Survey by Coal Mines Labour Welfare Organisation

17.11. A Sample Survey conducted by the Organisation regarding housing conditions in coalfields of Jharia and Ramgarh in the year 1963-64, revealed that only 20% of the coal miners were housed. Of these 84% were living in one-room tenements. There was much over-crowding. According to the Survey about six persons on an average were living in one-room. The Survey also revealed that most of the houses were not equipped with even certain essential facilities like lighting, ventilation, water supply, drainage and latrines.

Survey by Labour Bureau

17.12. The Labour Bureau of the Ministry of Labour, Employment and Rehabilitation conducted a survey of housing conditions for colliery workers in 1967. The survey revealed that the percentage of workers provided with standard type of houses was highest (56.5%) in Korba coal-field in Madhya Pradesh followed by Ramgarh-Karampura coal-field in Bihar (55.3%) and Talcher coalfield in Orissa (52.3%). The main producer of coal in these coalfields is the National Coal Development Corporation and the credit of construction of a majority of these houses goes to the Corporation. In the remaining 10 coalfields 1 to 14 per cent of workers were provided with standard type of

accommodation. According to the Survey about 81% of the workers had not been provided with any accommodation in Mugma coalfield in Bihar, 77.28% in Sambalpur coalfield in Orissa, and 68.52% in Chanda coalfield in Maharashtra. In 7 out of 13 coalfields surveyed, more than 50% of the workers were not provided with any accommodation, and in the remaining coalfields the percentage of workers who were not provided with any accommodation ranged from 27 to 47. A large number of workers continue to live in dhowrahs and huts. About 43% of the workers at Vindhya Pradesh coalfield in Madhya Pradesh were living in huts which needed repairs. The percentage of workers living in huts or dhowrahs was 36.11% in Pench Valley coalfield, 25.37% in Chanda coalfield in Maharashtra and 23.42% in Jharia in Bihar. In the remaining 9 coalfields, the percentage of such workers varied from nil to 8. Nearly 2% of the workers in Jharia coalfield in Bihar and 1.21% in Raniganj coalfield in West Bengal were living in dhowrahs or huts beyond repairs.

17.13. An assessment was also made of workers living in villages and elsewhere who may not require housing accommodation. In coal mining industry number of such workers was rather insignificant.

Assessment of the Organisation

17.14. Relying on the findings of the Labour Bureau, Simla, the Coal Mines Welfare Organisa-

tion made the following estimate of the requirements of houses for coal miners :—

(a) Percentage of workers provided with standard type of accommodation	16.25%
(b) Percentage of workers provided with other than standard type of houses	26.61%
(c) Percentage of workers living in villages and elsewhere who may not require housing accommodation	0.76%
(d) Percentage of workers having accommodation	43.62%
(e) Percentage of workers who should be provided with accommodation so that 75% of the workers may be covered	31.38%
(f) Total number of workers employed in the Coal Mining Industry	4,46,018
(g) No. of houses required to be built to provide for 31.38 per cent of the workers at ('c' above) 446028×31.38	1,39,964
(h) No. of workers who will be provided with accommodation after all the sanctioned houses of the fund are completed	30,373
(i) No. of workers for whom more houses are required to be provided to reach 75%	1,09,591
(j) Total estimated cost of houses @ Rs. 4,000 per house $4,000 \times 1,09,591$	Rs. 4,38,364,000—i.e., Rs. 44 crores.

17.15. According to the above survey it is clear that only less than 1% of colliery workers are not in need of housing facilities because they come from nearby villages. The importance of speeding up the housing programme for coal miners cannot, therefore, be minimised.

Role of the Welfare Fund

17.16. The Coal Mines Welfare Fund Act was enacted to supplement the welfare activities provided by the employers. After the emergence of the Fund, the general impression formed by the colliery owners was that since the Fund had come into existence it was its responsibility to initiate, construct and maintain houses for miners. They also thought that they were not only absolved of all their responsibility, for construction of new houses of their own but also from reconstruction and repair of old houses. This impression is not founded on sound basis. The housing activity of the Organisation was merely to supplement the housing programmes by the employers. The obligation of employers under the Mining Settlement Acts to provide houses to their workers still continues.

17.17. During the course of Committee's tours to mining areas it was pointed out by a number of Workers' Organisations that the employers had not been providing the necessary housing facilities to the workers. It was advocated that neither employers were taking advantage of the various subsidy Schemes of the Fund nor they were constructing houses on their own. They stressed the need of effective enforcement of the Mining Settlement Acts regarding provision of houses for miners.

17.18. Employers on the other hand, have expressed their difficulty regarding acquisition of land for construction of houses. They have also stated that they have to spend about 25 per cent extra amount for providing facilities like conservancy, water supply, electricity etc. They have maintained that the Organisation be asked to take the responsibility of providing houses for the miners including the renovation and repair of their old houses.

17.19. As already stated the allocation by the Fund for construction of houses is 50% of its total income. Even if the target for providing the housing facilities is kept at 75% of the total number of workers employed in the coal mining industry, it is estimated that about Rs. 44 crores may be required to achieve the target. The demand of the employers to increase the present ceiling price from Rs. 4000/- to Rs. 4800/- per house is under active consideration of the Government. At this estimate, the amount would increase by another Rs. 9 crores. Till September, 1968 a sum of Rs. 22.65 crores was credited to the housing account of the Fund. Of this Rs. 15.28 crores has already been spent on constructing 50,000 houses. The balance at the disposal of the Fund is not sufficient even to fulfil the target undertaken for construction under the Third Five Year Plan.

Need for Increase in Cess

17.20. Some of the employers who have already constructed houses for their workers with their own finances have put up their claims to reimburse the prescribed assistance from the Fund. The present resources at the disposal of the Fund are not sufficient to meet all these claims.

17.21. The total income of the Organisation for the year 1968-69 was Rs. 4.80 crores and the budget expenditure was Rs. 5.81 crores. For the past three years the expenditure of the Fund has been more than its income. The Fund has been meeting the increasing expenditure on welfare amenities out of the accumulated reserves which had been built in the past. If this continues the corpus of the Fund would be exhausted in a few years' time. Thus the Fund would not be in a position to provide houses to a substantial number of workers for many years to come.

17.22. Besides housing the Organisation has an extensive programme of water supply and expansion of medical and other welfare facilities which will also require substantial funds. We have already emphasised the urgent need for expansion of these in another chapter. The existing resources, therefore, will not match upto the needs for implementation of welfare measures in depth and

dimensions. Realising this, the Advisory Committee of the Organisation has recommended to raise the levy of cess from 49.21 paise to Re. 1/- per metric tonne. The Study Group on Coal set up by the National Commission on Labour has also recommended that the rate of cess be raised to Re. 1/- per metric tonne on despatch of coal. To us also this appears to be the only way to meet the immediate requirements of the Organisation. We, therefore, recommend that the existing rate of cess on the despatch of coal both for the construction of houses as well as for the extension of other welfare amenities is inadequate and the rate of levy be raised to Re. 1/- per metric tonne on despatch of coal.

Employers Responsibility

17.23. The Committee has given its detailed thought to the need for giving reasonably good housing to miners so as to enable them to live in healthy and hygienic surroundings. We feel that the employers should provide some percentage of housing to its workers on their own. The location of the mining industry is more or less the same as that of the plantation industry. In plantations, provision of housing has been made statutory responsibility for resident workers. Under mines too, some percentage of houses should, therefore, be built by the employers. We recommend that at least 20% of the houses required for colliery workers, in each colliery, should be built by the employers on their own and the remaining 80% with subsidy from the Welfare Funds.

17.24. As the cost of construction of housing units has been going up, we recommend that subsidy for construction of houses should also be suitably increased by the Coal Mines Labour Welfare Fund.

17.25. It has been brought to our notice that housing activity has been comparatively slow because of the difficulties in the acquisition of land for construction of houses. We, therefore, strongly recommend that the State Governments must streamline the process of acquisition of land and make it available to employers at reasonable prices.

17.26. We have no doubt that unless workers also come forward in coal mines to supplement the efforts of the employers as also of the Organisation, the objective of providing houses to at least 75% of the workers cannot so easily be achieved. We, therefore, suggest that workers in coal mines should also come forward to take advantage of the 'Build Your Own House Scheme' or Co-operative Housing Schemes. We hope that trade unions will take sufficient interest to popularise the above schemes amongst colliery workers.

17.27. A good number of workers who are drawn to work in coal mines do not live with their families near their work-place. They either do not have families or they prefer to leave their families in their villages. The Coal Mines Welfare Organisation had constructed some barracks as living accommodation for such single workers, but we understand that these barracks did not prove popular with workers, mainly because these were found to be deficient in respect of essential amenities. The Committee is of the view that if these barracks are converted into hostel type accommodation with provision of necessary facilities, these hostels would prove popular with workers. We therefore, recommend that hostel

accommodation for bachelors and widowers should be provided by the Organisation at suitable places.

HOUSING IN MINES OTHER THAN COAL

17.28. The Mines other than Coal can be divided into two categories—major minerals and minor minerals. The Committee is of the view that different patterns of requirement have to be worked out for both the categories.

17.29. According to the Director General Mines Safety, about 2,75,000 workers were working in major minerals in 1966-67. These include copper, gold, iron ore, limestone, manganese and mica.

Iron Ore and Mica Funds

17.30. Funds, similar to the Coal Mines Labour Welfare Fund, have already been constituted by the Government, for workers in mica and iron ore mines. The Iron Ore Labour Welfare Fund has started its activities recently and has still to show its impact. The Mica Fund has undertaken several schemes for construction of houses on the pattern of the Coal Mines Welfare Fund. The Fund has so far constructed nearly 800 houses and an equal number is under construction in different mica areas under the 'Departmental Colonies Scheme'.

17.31. As employers in mica mining industry have not come forward to avail subsidies for housing for their workers, the Mica Fund has not been able to show results in housing. The Employers have been putting forward the usual plea that they do not like to avail of the subsidy of the Fund because the life of the mine is very short and the workings keep on shifting from place to place.

17.32. Technical opinion does not uphold this contention of the mica mine owners. There are mica mines where mining operations are 30 to 40 years old and no attempt has been made to provide houses to the workers. The Mica Mines Labour Welfare Fund has, therefore, not been able to initiate any major housing programme at mine level or at other convenient areas. The Committee earnestly hopes that the employers in mica mines would realise their responsibility in the matter and provide houses to their workers and would come forward to avail of the assistance by the Fund.

Other Major Minerals

17.33. As for other minerals, some of the large undertakings whether in public or private sector, have provided housing accommodation to a sizeable number of their workers. The provision of housing facilities to workers employed in these mining establishments has resulted in stabilising the availability of skilled labour force for these establishments. This is yet another reason as to why housing facilities should be provided to workers employed in mines other than Coal as well.

17.34. Out of a total of about 2,15,000 miners employed in Mines other than coal 1,80,000 miners are working in gold, copper, limestone, iron ore and manganese mines. Of these, 41,000 workers are estimated to have been provided with housing units. It is estimated that 10 to 15%

mining workers live in some sort of accommodation while another 10 to 15% or 20,000 come from neighbouring villages. In all, therefore, more than 2 lakhs mine workers stand in need of houses in such mining establishments. It is, therefore, essential that housing projects for the workers in mines other than Coal are also dealt with on a priority basis.

Special Problems

17.35. In formulating a housing policy for non-coal mining workers, some special problems have to be faced. By nature, these mines are scattered and are patchy and uncertain in size and value. A long term programme for these mines is, therefore, rather difficult in most of the cases. It is also true that most of the deposits are found far away from townships and cities. The need for providing houses to mining workers cannot, therefore, be over-emphasized but one has also to take into consideration other unfavourable factors for finding out a reasonable solution of the problem. We have also dwelt at length on the need of providing houses to workers employed in these mining establishments, according to the nature, location and life of a mine belonging to a particular major or minor mineral. The need cannot be denied or over-looked though the type and standard of the houses to be provided has essentially got to differ from the houses that we have been talking of in the case of coal, mica or iron ore mining workers.

17.36. We therefore, feel that in mines situated in remote places and where the life of the mine is uncertain and seasonal, the housing programme can be made flexible to suit local, climatic, and environmental conditions. One standard need not be applied to all places and conditions. A good thatched house is, therefore, as good as a brick house if it is situated in healthy and clean surroundings. Where the life of mine is short, houses built of pre-fabricated concrete slabs, portable hutments, temporary houses built of cheap and locally available building material should be encouraged instead of conventional types.

17.37. A number of measures will have to be undertaken to provide houses to workers employed in mines other than coal. We have stated earlier that workers employed in copper, gold, iron ore, limestone and maganese mines, have been provided with housing accommodation to a reasonable extent. We recommend that houses should be constructed for the balance of such workers as have not yet been provided with housing accommodation by managements of these mining establishments with suitable subsidy from the proposed General Miners' Welfare Fund. As for

the remaining major minerals, it is necessary that at least 20% of the housing units are provided by employers and the balance, according to the requirements, constructed with suitable assistance from the proposed Fund.

Minor Minerals

17.38. The problem of providing housing units to workers employed in minor minerals is entirely of a different nature. Unfortunately, no reliable statistics are available on the basis of which any firm decision can be taken by the Committee with regard to the requirements of houses for workers employed in such minerals. This, however, cannot be denied that quite a large number of workers are employed in such establishments and they do stand in need of suitable housing facilities. We, therefore, recommend that housing facilities commensurate with the conditions of work and the terms of lease held, should be provided to such workers.

17.39. We are conscious of the fact that it is difficult for the individual mine owners to provide housing facilities to their workers. The proposed General Miners' Welfare Fund, should therefore, offer assistance to mine owners for construction of houses. The nature and life of mines and the duration of the lease does not permit the Committee to suggest for laying down any standards and specifications of such houses. We leave it to an expert body to lay such standards after taking into cognizance all the relevant factors.

17.40. So far we have been discussing the question of provision of new houses or houses to such workers as have not been provided with any accommodation. We have also said that quite a large number of houses (Dhowrahs, huts) were constructed by the employers even before the coming into being of the Welfare funds. Such of these houses as may have not reached a stage where they need constant repairs and renovations, we see no justification that employers should not repair and renovate such houses on their own. We, therefore, recommend that repairs and renovations wherever necessary, should be carried out by the employers themselves in all mining establishments.

17.41. The dimensions of the housing problem in mining areas are of such proportion that it is incapable of any satisfactory solution without the unstinted efforts and cooperation of the employers. It is, therefore, essential that the employers should come forward and play their part effectively. The various statutory funds will assist and supplement their efforts.

CHAPTER XVIII

STATUTORY WELFARE FUNDS IN MINES

18.1. The Government of India promulgated an Ordinance in 1944 by which they created the Coal Mines Labour Welfare Fund, for financing and implementing measures for promoting the welfare of labour employed in Coal Mines. This was followed by Mica Mines Labour Welfare Fund Act, in 1946. On the basis of the experiences gained in the Coal and the Mica, the Central Government created a similar fund for the Iron Ore mine workers in the year 1961. The primary object of these statutory welfare funds is the socio-economic uplift of workers employed in Coal, Mica and Iron Ore Mines. This chapter deals exclusively with the activities of these three Statutory Welfare Funds.

1. COAL MINES LABOUR WELFARE FUND :

18.2. The Coal Mines Labour Welfare Fund Ordinance, which was subsequently replaced by an Act in 1947, provides for measures for promoting the welfare of labour employed in the coal mining industry. These provisions include dispensary services, medical facilities, programmes for housing, water-supply, education recreation and other general welfare amenities for workers in coal mines. The Fund is constituted by collecting a cess on all Coal and Coke despatched from collieries in the country at a rate which is not less than 25 paise and not more than 50 paise per ton. At present, the rate of levy on despatch of coal is 49.21 paise per metric tonne (50 paise per ton) the maximum permissible. This Fund is apportioned under two separate accounts, viz. 'Housing Account' and 'General Welfare Account.' Apart from the above mentioned source, the following also constitute the Housing Account of the Fund :—

- (a) Any grant made by the Central Government;
- (b) Rents, if any, realised from housing accommodation and constructed out of such funds; and
- (c) Any other money received by the Housing Board.

18.3. Disbursement of the Fund is made towards the Housing and General Welfare amenities in the ratio of 50:50. The Government have the powers to vary the ratio. The administration of the Fund is done by the Coal Mines Labour Welfare Organisation called "Organisation".

18.4. Out of the General Welfare Account of the Fund, the Organisation pays annual grants-in aid to such of the colliery owners as maintain, to the satisfaction of the Coal Mines Welfare Commissioner, dispensary services of the prescribed standard for the benefit of labour employed in their collieries. The other welfare measures on which the Fund expends for promoting the welfare of labour employed in Coal Mines are :—

- (i) Measures for health and sanitation, prevention of diseases, the provision of medical facilities and the improvement of existing medical facilities including provision and maintenance of dispensary

services in collieries the owners of which do not receive grants-in-aid.

- (ii) provision of water-supply and facilities for washing and the improvement of existing supplies and facilities;
- (iii) the provision and improvement of educational facilities;
- (iv) improvement of standards of living including nutrition, amelioration of social conditions and the provision of recreational facilities;
- (v) the provision of transport to and from work.

18.5. The Housing activities of the Organisations have been dealt with in the preceding chapter.

Medical and Public Health Facilities

18.6. With a view to provide improved medical facilities to workers and their dependents and for augmenting the efforts of managements, the Organisation has provided extensive medical facilities. These are setting up of central hospitals, regional hospitals, dispensaries, including mobile and ayurvedic dispensaries, financial assistance to colliery management for improving dispensary services, maternity and child welfare centres, family planning clinics, arrangement of specialised treatment for diseases like T.B., cancer, leprosy etc. and other public health measures.

Expenditure on Medical Facilities

18.7. During the year 1967-68, a sum of Rs. 180 lakhs was spent on medical facilities. The per capita expenditure on medical and health facilities for colliery workers increased from Rs. 15.64 in the year 1962-63 to Rs. 33.48 in the year 1967-68.

Hospitals

18.8. Two well-equipped central hospitals one at Dhanbad and the other at Asansol, with a total intake of 400 patients each for providing specialised medical treatment to colliery workers and their dependents have been set up. The treatment afforded to them is free of cost. Another central hospital constructed at Manendragarh is nearing completion. The Government of India have decided to dedicate this central hospital to the International Labour Organisation in commemoration of its 50th Anniversary. Eleven regional hospitals have also been set up in various coalfields. These regional hospitals are treated as feeder hospitals to central hospitals. Twelve more regional hospitals in different regions are at different stages of finalisation.

18.9. A children's ward under the charge of a Paediatrician started functioning at the Central Hospital, Dhanbad since August 1966. Two blood banks on modern lines, one each at the Central Hospital, Dhanbad and Asansol, have been established.

Specialised Medical Treatment, X-Ray

18.10. X-Ray facilities are provided at both the Central Hospitals and some of the regional hospitals. X-Ray plants have been supplied to 14 colliery hospitals in different coalfields under "grant-in-aid scheme".

Cancer

18.11. At Central Hospital, Asansol, a 'Deep Radio Therapy' plant has been installed for attending to the cases requiring deep radio therapy treatment. In Patna Medical College, the Organisation has got 12 beds reserved for colliery workers suffering from cancer. It has also arranged for cancer treatment in the Chitranjan Cancer Hospital, Calcutta.

Mental Diseases

18.12. Special arrangements for treatment of mental cases in mental hospital at Ranchi, Nagpur and Hyderabad have been made.

Tuberculosis

18.13. Four T.B. hospitals and clinics in Bengal, Bihar and Madhya Pradesh have been set up. T.B. wings are attached to many regional hospitals. In both the central hospitals at Dhanbad and Asansol 100 bedded T.B. hospitals have been attached. In addition to this, 77 beds have been reserved by the Fund in various T.B. hospitals and sanatoria for the treatment of T.B. patients requiring sanatorium treatment. The Organisation has a domiciliary treatment scheme for T.B. patients. About 1,600 patients all over the coalfields are covered under this scheme every year. Patients are supplied with free medicines and a diet allowance at Rs. 1.50 per day. This diet allowance is given to a T.B. patient for 9 months. Chemotherapy Centres in various coalfields for providing necessary facility to T.B. patients have also been set up. Close supervision is provided by medical experts.

18.14. Since miners are more vulnerable to contact T.B. than others, we are of the view that regular health visitors may be appointed for propagating domiciliary treatment of T.B. The distribution of medicines under the domiciliary treatment scheme should also be made more broad-based. For early detection and control of T.B., it is suggested that mass X-Ray and B.C.G. vaccination be arranged for all coal mining areas.

Family Planning

18.15. The Organisation, with the cooperation of Central Family Planning Organisation, has set up family planning centres in all the regional hospitals. In addition, 8 family planning centres in different coalfields have been set up under the charge of qualified Lady Health Visitors. Grant-in-aid is also paid for the maintenance of 53 maternity and Child Welfare Centres set up by Asansol, Jharia and Hazaribagh Mines Boards of Health. It is maintaining three mobile family planning vans for providing necessary family planning facilities to the workers. We have recommended elsewhere in this report about the programme of family planning that may be adopted for mining workers. The Committee hopes that the Organisation would take necessary steps, in consultation with family planning organisation,

for propagating family planning amongst the miners.

Ayurvedic Dispensaries

18.16. For providing ayurvedic treatment, 28 ayurvedic dispensaries have been established in different coalfields. During the year 1967-68, Rs. 2.86 lakhs were spent on ayurvedic dispensaries. An ayurvedic pharmacy has also been set up to ensure supply of genuine medicines to these dispensaries.

Grant-in-aid for Dispensaries

18.17. Grant-in-aid/subsidy is given to various colliery managements for maintaining their hospitals and dispensaries. According to the Coal Mines Labour Welfare Fund Rules, the maximum grant that a colliery management can have is at the rate of 8 paise per metric tonne of the cess paid by a colliery on the despatch of coal. A sum of Rs. 13.66 lakhs was provided for payment of grants during 1968-69. It has also in vogue a scheme of providing interest free loans equivalent to the actual cost of construction of new building or for improvement of existing building for dispensaries including purchase of equipment, subject to a maximum of 16 times the current grant-in-aid admissible under the Rules.

Supply of Spectacles, Dentures and Artificial Limbs

18.18. As a gesture of assistance to poor colliery workers who are otherwise not in a position to secure the same, supply of spectacles, dentures and artificial limbs to entitled colliery workers are made free of cost.

Transport

18.19. When patients are sent for admission in different hospitals where the Organisation has some reservations for colliery workers, it meets the entire journey expenditure, including expenses incurred on the attendants.

Anti-Malaria Operations

18.20. The coal field areas were widely infected with malaria. The Organisation initiated extensive anti-malaria operations from its very inception to combat the disease. These operations have been successful in wiping out malaria from the coalfields. It is now busy with wiping out filaria from the coal-fields.

Static Dispensaries & Mobile Units

18.21. Three static dispensaries, two mobile units and two health promotion centres have been established in different coalfields. During the Committee's visit to coalfield areas, it has been observed that static dispensaries were not very popular amongst the colliery workers. We are of the view that these static dispensaries may be substituted by mobile medical units.

Occupational Diseases

18.22. Workers employed in coal mines are exposed to various occupational diseases. Such workers as are affected by occupational diseases deserve special attention. We, therefore, recommend that the medical officers employed in the medical institutions of the Organisation should be adequately trained in the field of industrial health and applied medicines.

Research Facilities

18.23. It has been brought to our notice that the Central hospitals set up by the Organisation are of sufficiently high standard but they have not been provided with research facilities. If research facilities are provided in these hospitals, they would serve the colliery workers better. The central hospitals provide adequate clinical material for post-graduate teaching. They can form a suitable base for opening Medical Colleges by the respective State Governments. The Government of India have recognised both the central hospitals for providing training to nurses and have recognised the Central Hospital Dhanbad for Internship for M.D. and M.S. students. We, therefore, recommend that research facilities be provided at these hospitals under a phased programme.

Other Diseases

18.24. We also consider it desirable that a comprehensive scheme may be drawn up for covering filaria, leprosy, hook-worm, prevention of polio, tetanus, whooping cough and other preventable diseases and implemented in a phased programme.

18.25. Although the Organisation has undertaken to provide medical facilities on an extensive scale yet, due to limited resources, it may not be in a position to cover the entire mining population spread all over the country. To augment medical and health services for mining workers, we are of the view that managements should open more dispensaries, hospitals and provide mobile medical units for their workers by availing grants from the Organisation. The present rate of allocation for grant-in-aid for dispensaries be suitably increased to provide incentive to employers for opening more dispensaries.

II. EDUCATIONAL & RECREATIONAL FACILITIES

Multipurpose Institutes

18.26. For providing educational and recreational facilities to colliery workers and their dependents, multipurpose institutes, each with an adult education centre, a women welfare-cum-children education centre and a children's park, have been functioning in various coal-fields. The total number of multipurpose institutes functioning in 1967 was 67. Vocational training in knitting and tailoring to workers' wives and other family members and elementary education to children upto Class II Standard is imparted. Talks on health, hygiene, sanitation etc. for the benefit of workers are also organised. Health visitors advise the workers on matters of health and hygiene.

Physical training and games form part of the regular daily routine. In some of the multipurpose institutes, mid-day meal to the children is also being provided. The medical officer attached to the regional hospital attends to the health of children attending these institutes. These institutes provide extensive facilities for sports and recreation to the adult male workers.

Adult Education

18.27. Adult Education amongst colliery workers forms part of the activities of multipurpose institutes

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and at collieries where such Institutes do not exist, the adult education classes are held in temporary accommodation offered by colliery owners. In the year 1967, 163 feeder education centres were functioning in various coalfields. These included 15 centres for women. It has been found that adult education has not attained the desired success. Elsewhere in this report we have suggested that the recommendations made by the panel on literacy among industrial workers set up by the Planning Commission should be implemented. Adult Education Programme by the Organisation may also be organised on the same lines.

Grant-in-aid to Schools

18.28. The Organisation pays a grant-in-aid to certain primary schools for workers' children. Besides, it organises children's training camps for imparting training in leadership and discipline and physical education to workers' children attending the multipurpose institutes. A sum of Rs. 21,000 was sanctioned for organising such camps during the year 1967-68.

Boarding Houses

18.29. For the benefit of the children of colliery workers, reading in high schools far away from the places of residence, two boarding houses are functioning. Four more boarding houses in different coalfields are being set up.

Scholarships

18.30. The Organisation is imparting scholarship facilities to deserving children of workers to prosecute their studies. 500 scholarships for general education and 22 scholarships for technical education of the value ranging from Rs. 20/- to 75/- per month were awarded during the year 1967. It also grants 25 stipends of the value of Rs. 25/- per month to the children of colliery employees undergoing technical education in the Industrial Training Institutes. The organisation is spending about Rs. 20 lakhs per year on educational and recreational activities.

Games & Sports

18.31. It is also devoting considerable attention towards Scheme for games and sports. About Rs. 2.5 lakhs are annually spent on organising sports and games activities. These sports have created much enthusiasm among the workers and its annual tournaments have become quite popular.

Cinema Shows

18.32. Arrangements for cinema shows exist at every multipurpose and feeder Centres for exhibiting educational documentary and feature films. The family planning propaganda is also made through the Exhibition of films. It is maintaining 14 mobile cinema vans.

Excursions and Travels

18.33. With a view to provide diversion and recreation, provisions are made for :—

- (i) Bharat Darshan Yatra by Special Trains.
- (ii) Holiday Homes.
- (iii) Excursion and Educational Tours.

Bharat Darshan

18.34. The Organisation arranges two special trains one to the North and the other to the South every year for Bharat Darshan. Nearly 500 workers employed in the Coal Industry travel by each train. These trains visit places of pilgrimage, places of historical importance and big industrial towns. The workers from all parts of India meet together and the sense of one-ness is generated which is a cementing force for national integration. During these travels the workers get opportunities to meet the President and the Prime Minister of India, the Governors of the States and other V.I.Ps. The tours have proved of very great educative value. There is a persistent demand from workers to increase the number of these special trains. Efforts are being made to run special trains from various centres instead of being centrally sponsored from Dhanbad. On account of its popularity the Organisation is contemplating to expand the scheme in coming years. It spends about Rs. 2 lakhs on such arrangements every year.

Holiday Homes

18.35. Holiday Homes for workers is a recognised concept all the world over. In the socialist countries a trip to the Holiday home is at the cost of Industry in the form of recognition of the good work done by the workers. The affluent society in western countries avail of the holiday homes at their own expenses. The Organisation's scheme of holiday homes provides for accommodation for workers at holiday homes free of cost and travelling expenses for the onward and return journeys. Such holiday homes have been started at Rajgir (Bihar), Puri (Orissa), Amarkantak (Madhya Pradesh), Vishakhapatnam (Andhra Pradesh). Similar holiday homes are being set-up at Digha (West Bengal) and Aurangabad (Maharashtra).

18.36. During the tours to various states by the Committee a suggestion was made by the workers that groups of colliery owners should construct buildings or reserve accommodation at tourists centres for their workers and financial assistance should be made available to them from the Organisation for execution of such schemes.

Excursions

18.37. Besides the holiday homes, short excursion tours-cum-visits to hot springs and places of religious importance are also arranged by the Organisation and are becoming popular. It follows that the activities will have to be multiplied to meet the growing demands of the workers.

Water Supply

18.38. Scarcity of protected water supply is felt in the coal mining areas and it becomes very acute during some parts of the year. Although abundant water from underground workings is available in most of the mining areas, the water as such is not fit for human consumption. In fact millions of gallons of water from underground are pumped to surface and allowed to run waste. Water softening plants are necessary to treat the water from these mines which have permanent or temporary hardness. To solve drinking water scarcity and as an incentive to colliery managements in implementing water supply schemes, the Organisation has sponsored the following two schemes :—

(1) 50% subsidy for construction of wells is paid on the basis of the actual expenditure or the cost obtained from a sliding schedule, whichever is less. Under the scheme, 428 wells have so far been sanctioned for construction at various collieries.

(2) Subsidy for water supply schemes which normally include provisions for raw water pumping, treatment, storage and distribution is paid @ 50% of the actual scrutinised cost for schemes costing less than Rs. 10 lakhs and at 40% of the scrutinised actual expenditure for costlier schemes.

18.39. Two major water supply schemes under execution on substantial financial assistance from the Organisation are :—

DAMODAR-REORGANISATION SCHEME

This Scheme estimated to cost Rs. 75 lakhs has been taken up for implementation by the Jharia Water Board with a grant-in-aid of Rs. 40 lakhs and loan of Rs. 15 lakhs from the Organisation. Almost all the collieries in the Jharia Coalfield will be covered by this Scheme.

INTEGRATED WATER SUPPLY SCHEME FOR RANIGANJ COALFIELD

The scheme estimated to cost Rs. 3.54 crores for supply of water to collieries in Raniganj coalfields has been jointly sponsored by the West Bengal Government and the Organisation. The Commitment from the organisation is upto Rs. 1 crore.

18.40. Besides these two major Schemes, the Organisation is extending financial assistance to 41 other water supply schemes all over the coal-fields. Its contribution has been more than Rs. 10 lakhs each to seven of these schemes, others too receive quite a large amount. During the year 1967-68 it paid 34 lakhs for augmenting water supply schemes. Larger investment from the Organisation for these schemes would be needed in the years to come.

18.41. From the experience it has been observed that except big mine owners and government undertakings, medium and small sized mine owners are not interested in taking advantage of the above Schemes. A considerable proportion of mine owners, specially small owners, fall back upon ground-water-resources or from abandoned pits after some corrective treatment. It is incumbent upon the mine owners to formulate and execute schemes for supply of wholesome and protected drinking water at the work site. Drinking water is a basic need and the mine owners should provide community water taps in the plan in residential areas before operating the mine. The meaningful solution of this problem would not be possible unless provision of an adequate quantum of wholesome drinking water supply in the residential colonies is made mandatory under the statute. The Industrial Committees on Coal Mines and on Mines other than coal have also been pressing for this facility during their deliberations from time to time.

18.42. Keeping this in view we recommend that the employers should make arrangements for supply of protected drinking water, storage and distribution thereof. In case it is not possible to provide piped water in each house, provision for giving one water tap for at least every five houses, wherever it is feasible and wherever sizeable number of workers reside in a workers' colony, should be made

obligatory and the Mines Rules be suitably amended to this effect.

Cooperatives

18.43. The Organisation has set up a net-work of co-operative credit societies and co-operative consumers' stores all over the coal fields. The Organisation has 12 wholesale central cooperative consumers' stores and 569 consumers' co-operative stores/credit societies in different coal fields. During the year 1967-68, the total volume of business conducted by the Central Co-operative Stores amounted to Rs. 6.94 crores. This includes sale of controlled commodities. In the year 1967, the total number of co-operative credit societies were 197. The total amount of loan investment in these co-operative credit societies amounted to about Rs. 46 lakhs.

Distress Relief

18.44. The Organisation is having schemes like 'Coal Mines Fatal and Serious Accident Benefit Fund Scheme' and "Temporary Disablement Scheme." Under the first scheme, it affords monetary grants to widows and other dependents of colliery workers who are killed as a result of colliery accidents. Under this Scheme, a grant of Rs. 1,12,000 was sanctioned by the Organisation during the year 1967. Under "Temporary Disablement Scheme" subsistence allowance is paid to workers who get injured as a result of colliery accidents. Under this Scheme, an allowance of Rs. 25/- per month is granted for a period of 6 months.

II—MICA MINES LABOUR WELFARE FUND

Introduction

18.45. The Government of India enacted the Mica Mines Labour Welfare Fund Act in the year 1946 for financing of activities for the welfare of labour employed in the Mica Mining Industry. According to the Act, a cess in the form of export duty is levied at such rate not exceeding 6½% *ad-valorem* on the export of mica from the country. At present the rate of levy is 2½% *ad-valorem*. The cess is collected by the Customs Department and credited to the Fund after deducting ½% collection charges. The total income in the year 1967-68 was Rs. 31.07 lakhs. The accumulated balance under the Central Mica Fund stood at Rs. 171.63 lakhs on 1st April, 1967.

18.46. The activities of the Mica Mines Labour Welfare Fund hereinafter called the 'Organisation', are mainly confined to the three mica producing states namely Bihar, Andhra Pradesh and Rajasthan. The Fund is administered through Tripartite Advisory Committee in all the three regions.

18.47. According to the Act, the Fund may be utilised for:—

- improvement of public health and sanitation, prevention of diseases and provision and improvement of medical facilities;
- provision and improvement of water supply and facilities for washing;
- provision and improvement of educational facilities;
- the improvement of standard of living including housing and nutrition, the ameli-

oration of social conditions and the provision of recreational facilities; and

- the provision of transport to and from work.

Grant-in-aid to the owners of Mica Mines is given for organising approved welfare schemes for their workers.

Medical and Health Facilities

18.48. The pattern adopted by the Organisation is similar to the one obtainable in Coal Mines Welfare Fund. It has established two central hospitals, two regional hospitals, T.B. clinics, mobile medical units, ayurvedic dispensaries. Arrangements for specialised treatment is available in the Karma Hospital and one of the two hospitals in Andhra Pradesh. A specialised T.B. Hospital has also been set up. It has set up 21 ayurvedic dispensaries, 12 static dispensaries, 7 mobile medical units, and 18 maternity and child welfare centres. To provide financial relief to dependents of mica miners suffering from T.B. and Silicosis, a Scheme has been started on the lines of 'Domiliary Treatment Scheme' under Coal Mines Welfare Organisation. Arrangements also exist for treatment of leprosy among mica miners at the Leprosy Hospital, Titulmari.

Educational and Recreational Facilities

18.49. The Organisation is having 9 Multi-purpose Institutes and 7 Community Centres. It is maintaining 12 primary schools, 7 middle and high schools and 26 adult education centres for the education of workers and their children, 9 women welfare centres, and 13 feeder centres. It has also set up 7 Boarding houses for miners' children. It has 4 mobile cinema units for the recreation of mica workers.

18.50. There is a scheme of scholarships for general and technical education to miners' children. Tuition fees are also granted. Sports and recreational programmes are arranged at all multi-purpose institutes and community centres for the recreation of mica mines workers. Bharat Darshan tours are organised in collaboration with Coal Mines Welfare Organisation.

Water Supply

18.51. Grants-in-aid/subsidy are given to the mine owners who sink well for water supply arrangements. Subsidy to the tune of 75% of the cost of construction or grant-in-aid of Rs. 7,500 per well whichever is less is given. In the case of Rajasthan, the amount of subsidy is 90% of the cost of well. It has also sunk on its own, 66 wells.

Cooperatives

18.52. One wholesale central co-operative store and 7 primary stores have been set up in Bihar. Besides, 4 primary consumer co-operative stores in Andhra Pradesh and 3 consumer co-operative stores in Rajasthan have also been set up. The Organisation has not been able to arrange for Consumers' Credit Programme. We hope that it will fall in line with such activities organised by Coal Mines Welfare Fund Organisation.

Distress Relief

18.53. The dependents of Mica miners who die or become permanently incapacitated due to

accidents are granted relief on the lines of schemes in vogue in the Coal Mines Labour Welfare Organisation. The Organisation has not been in a position to organise welfare activities for mica mine workers extensively.

Mica Factory Workers

18.54. The activities of the Organisation at present are available to only those workers who are engaged in mica mining industry. Besides mining, a large number of workers are engaged in processing of Mica in Mica factories, who are not covered by the Act and as such the above amenities are not available to them. For sale and export of mica processing is necessary. The Workers' Organisation have been advocating that mica factory workers should also be covered by the Act. There is no such discrimination under the Coal Mine Labour Welfare Fund Act, which covers workers employed in collieries' workshop and power houses etc. There is a strong feeling among these workers and it has been represented to the Committee that this discrimination should be removed.

We feel that the Mica Mine Labour Welfare Fund Act may be extended to mica factory workers by making suitable amendments in the Act.

Increase of Cess on Mica

18.55. As stated earlier the Mica Mines Labour Welfare Fund derives its income from a levy of cess on export of Mica at the rate of 24% *ad valorem*. The following table indicates the income, expenditure and the accumulated balance, statewise, for the year 1967-68 in lakhs of rupees :—

Sl. No.	State	Income	Expenditure	Accumulated balance on 1-4-1968
1	Bihar	17.40	27.22	85.26
2	Andhra Pradesh	6.93	6.59	26.52
3	Rajasthan	6.68	4.04	53.8
4	Other States	0.06	..	5.987
		31.07	37.85	171.63

18.56. The above figures indicate that the expenditure is increasing on the whole and the Fund is meeting the extra balance out of their reserves. So far the major scheme on housing, drinking water and medical facilities are yet to come in Andhra Pradesh and Rajasthan. When these are implemented the balance would be wiped off within 7-10 years.

18.57. The Committee has recommended that the mica factory workers are also to be covered under Mica Mines Labour Welfare Fund Act. The number of workers engaged in mica factories for processing the mica is almost double the number engaged in mica mines. This will, therefore, necessitate huge funds for extension of welfare amenities. Keeping this in view, we recommend that the rate of cess on the export of mica be raised on 6½% *ad valorem*, the maximum permissible under the Act.

III IRON ORE MINES LABOUR WELFARE FUND

18.58. The Government of India appointed a Working Group in 1956 for enquiring into the working conditions of workers engaged in Iron Ore Mining. The Working Group recommended that a Welfare Fund financed by a special cess should be set up in the case of Iron Ore mines on the pattern of the Coal Mines Labour Welfare Fund or the Mica Mines Labour Welfare Fund. This recommendation was supported by the Tripartite Industrial Committee on Mines other than Coal. It was stated that it was not the intention of the Government to take over completely the responsibility of the employers in the matter of provision of welfare amenities. But it was proposed to levy a cess on all Iron Ore produced and utilise the proceeds of the cess for providing to the labour employed in the Iron Ore mines, with welfare facilities comparable to those which were being provided in the Coal and Mica Mines.

18.59. Accordingly, the Government of India, enacted the Iron Ore Mines Welfare Cess Act in the year 1961, which came into force in the year 1963. The Act provides for the levy and collection of cess at the rate not exceeding 50 paise per metric tonne on the Iron Ore for financing the activities which promote the welfare of labour employed in the Iron Ore Mining Industry.

18.60. The present rate of levy is 25 paise per metric tonne on all Iron Ore produced in any mine situated in the country. The levy is based on the Iron Ore despatched for export as well as consumed by Steel Plants in the country. In the former case the cess is collected as duty on custom, while in the latter case, a cess on the quantities received by the Steel Plants. For this purpose, the Steel Plants have been empowered to collect the cess from the mine owners supplying the Ore.

18.61. As in the case of other two Funds, the Iron Ore Mines Welfare Fund, hereinafter called the 'Organisation' is also administered through a Tripartite Advisory Committee constituted by the Central Government. During the year 1967-68, a sum of Rs. 63.17 lakhs was collected by way of levy on Iron Ore. The accumulated balance as it stood on 1st April, 1968, was Rs. 198.38 lakhs. The following table indicates the income, expenditure and accumulated balance against each region during the year 1967-68.

(In lakhs of Rupees)

Sl. No.	Regions	Income	Expenditure	Accumulated Balance
1	Andhra Pradesh & Mysore.	14.74	1.39	21.60
2	Bihar	13.03	3.65	47.65
3	Goa	18.29	0.55	50.63
4	Madhya Pradesh & Maharashtra.	9.65	2.14	31.69
5	Orissa	7.45	4.49	46.61
6	Miscellaneous	0.10	0.10	0.20
		63.17	12.32	198.38

According to the Act, the Fund is to be utilised for :—

- (a) The improvement of public health and sanitation, the prevention of diseases, and the provision and improvement of medical facilities ;
- (b) the provision and improvement of water supplies and facilities for washing ;
- (c) the provision and improvement of education facilities ;
- (d) the improvement of standard of living including housing and nutrition, the amelioration of social conditions and the provision of recreational facilities; and
- (e) the provision of transport to and from work.

18.62. The Central Advisory Board of the organisation at its first meeting held at Goa in January, 1968, recommended that each state should have a separate Advisory Committee with Labour Minister of the State as its Chairman. Government have accepted this recommendation and as a result of it Iron Ore Mines Labour Welfare Cess Rules 1963 have been suitably amended. The Advisory Committee in the states of Andhra Pradesh, Mysore, Maharashtra and Orissa were reconstituted with the State Labour Ministers as Chairmen.

18.63. The organisation which is still in its infancy has not been able to launch many welfare activities. However, some progress has been achieved in the case of following activities :

Medical Facilities

18.64. This Organisation has adopted the pattern of Coal and Mica Labour Welfare Organisations. It has selected sites for two central hospitals to be set up in Bihar and Goa. A ten bedded emergency hospital has been set up in Bihar region. Two primary health centres in Orissa, and two each mobile medical units and two dispensaries in Mysore have been set up. T.B. beds have also been reserved for the use of Iron Ore Miners and their families in various regions. The number of beds in T.B. sanatorium, Ranchi have been raised from 25 to 30. Arrangements have also been made for treatment of leprosy patients at Purlia. Similarly five beds each in Public hospitals at Bicholim, Gurchorem and Ribandar in Goa region have been reserved for Iron Ore miners. Specialised eye-treatment in Madhya Pradesh and Maharashtra has also been arranged. An X-ray machine has been provided at Bhilai by the organisation for the use of Iron Ore miners. Grants-in-aid are also given to the mine owners to maintain dispensaries and maternity homes for the benefit of Iron Ore miners.

Educational and Recreational Facilities

18.65. 28 multi-purpose teaching schools were functioning in the Iron mining areas of the state of Orissa for providing recreational, educational and cultural activities. Three multi-purpose institutes were sanctioned for Goa region. Two multi-purpose institutes, one each in Madhya Pradesh and Maharashtra are functioning. Four women and children sections are working in Bihar region. Excursion-cum-study tours are arranged for Iron Ore workers. They also participate in the Bharat Darshan Yatra Train conducted by the Coal Mines Labour Welfare Organisation. Grants-in-aid to mine owners for organising sport tournaments and musical functions are given. Scholarships are granted to the children of Iron Ore Mines studying in various institutions.

Fatal Accidents Benefits Scheme

18.66. The financial benefits to widows and children of victims of fatal accidents are sanctioned by the organisation.

Water Supply

18.67. The organisation gives subsidy to the mine owners for making arrangement for water supply for Iron Ore workers. 50 per cent of the subsidy is given by the organisation towards the cost of sinking wells.

Housing

18.68. 190 houses under 'New Housing Scheme' and 50 houses under 'Low Cost Scheme' have been sanctioned in Bihar. The construction of these houses has already been undertaken.

18.69. The Central Advisory Board for Iron Ore Labour Welfare Fund was reconstituted in December, 1968. This Board recommended for a tripartite committee for the development of certain standard prototype schemes for further utilisation of the Fund. A Director of Welfare for Mica and Iron Ore Mines has been appointed by the Central Government for coordinating the welfare activities organised by these Funds.

Cess on Iron Ore

18.70. As stated earlier, the Iron Ore Labour Welfare Fund has an accumulated balance of Rs. 198.38 lakhs. This has been primarily due to the lack of the agency for execution of welfare schemes. Now that the necessary machinery for implementation of the scheme has been set up, it is expected that the organisation will make up the lee-way in a very short time. With the present rate of cess (25 paise per metric tonne) and the accumulation, the fund will be able to cope with present schemes only. The Government will have to keep a close watch over the requirements of Iron Ore miners and increase the cess to 50 paise per metric tonne, the maximum permissible under the law, when found necessary.

CHAPTER XIX

GENERAL MINERS' WELFARE FUND

Introduction

19.1. We have held the view that every worker should be covered for the basic welfare amenities, depending upon his avocation. On this basis we have also recommended that every worker employed in Mines should be provided with some basic minimum welfare amenities. We have mentioned elsewhere in this part of the report that out of a total of 12 lakhs workers engaged in mining industry as a whole, as many as 5 lakhs workers engaged in minor minerals are practically not covered by any welfare amenities either voluntary or statutory.

19.2. The Committee has already suggested a set of basic minimum welfare amenities which must be ensured to all workers irrespective of the fact whether the workers are covered under the Mines Act or not. While welfare amenities are essential for the health and well-being of the miners, it has to be kept in view that welfare amenities are a wasting asset. It is a subject to the Law of Diminishing Returns, and the cost of product goes on increasing. The employers of small mines find it uneconomic to provide all the amenities such as medical facilities, housing, transport etc.

19.3. In the case of three major minerals, viz. Coal, Mica and Iron, the Government has already set up three statutory funds for financing welfare amenities like housing, medical, education, drinking water and recreation. The basis of financing these funds, as has already been stated, is the levy of cess on the mineral products. The burden of this cess mainly falls on the consumers. Experience has shown that the Coal and Mica Mines Welfare Funds have rendered yeoman service to the workers employed in these industries. Keeping this in view in the Fourth Five Year Plan¹ it is proposed to set up separate statutory welfare funds for workers in manganese, dolomite, limestone and other mines on the lines of Coal Mines Labour Welfare Fund. The Government in its memorandum to the Committee has also proposed constitution of statutory welfare funds to cover other major minerals.

19.4. The idea of having separate welfare funds though laudable may present administrative difficulties. In a particular region where mines of more than one type of mineral exists, operation of the individual funds in maintaining uniformity in the execution of welfare programmes may present difficulties. The cost of administration of these individual funds will be prohibitive. We are, therefore, of the view that welfare measures in all mines be organised region wise, through one unified agency.

19.5. The Committee, has recommended a separate pattern of statewide constitution of statutory welfare funds for organising labour welfare measures for workers employed in factory establishments, plantations and agriculture. The laws pertaining to factory establishments, plantations and agriculture, come within the purview of the State Governments. The position

with regard to mines is different. The Central Government is primarily responsible for the enforcement of the statutory provisions through its own agencies. We, therefore, recommend that the proposed General Miners' Welfare Fund be constituted and administered by the Central Government.

Views of different States

19.6. In their replies to the questionnaire of the Committee and during the course of their evidence before the Committee, a number of parties including State Governments, have advocated that there is need to constitute a general welfare fund for mine workers engaged in all the mines. The National Mineral Development Corporation has stressed that welfare funds should be established in industries which employ sizeable number of unskilled labour. According to the Government of Assam, a welfare fund like that of the Coal Mines Labour Welfare Fund may be constituted in the case of minor minerals. A nominal levy like that of coal may be collected and the administration of the same may be entrusted to a Corporation. This Corporation may be an autonomous body for collection and administration of funds and provision of welfare amenities therefrom. The Governments of Mysore and Rajasthan have also stated that for creation of welfare fund for minor minerals, the pattern of Coal and Iron Ore Mines Welfare Funds may be adopted. The Government of Madras have favoured the levy of a nominal cess to finance the welfare amenities and have advocated for setting up a central Corporation with the State Governments as its agencies for collection and administration of funds. The Union Territory Administration of Delhi have favoured a levy on production of minor minerals for providing welfare amenities. In their opinion, it is not advisable to have a State Corporation. A Board with Labour Commissioner, Delhi, as Chairman, to administer the fund has been favoured. According to Goa, Daman and Diu Administration, the welfare levy may be collected on the quantity of minor minerals produced. It has been stated that there should be a scheme like Coal Mines Labour Welfare Fund Scheme or Iron Ore Welfare Fund Scheme and the quantum of levy should be linked up with the production as is done in the above-mentioned two schemes. The State Governments of West Bengal, Haryana, Madhya Pradesh and Uttar Pradesh have not favoured such a levy on the grounds that the number of workers engaged in the small mines is not large in these states. The Government of Uttar Pradesh have, however, stated that the idea of setting up a Corporation for collection and administration of funds and provision of welfare amenities therefrom is laudable.

19.7. In view of the fact that workers employed in the extraction of three major minerals are in a position to avail of certain welfare amenities organised by the three Funds, the Committee is of the view that such amenities may also be made available to workers engaged in other minerals. Just as mines cannot be differentiated in so far as the enforcement of safety measures are concerned, similarly

1. Fourth Five Year Plan, page 396.

the miners can also not be differentiated so far as the provision of welfare amenities are concerned. Just because one section of the Industry, is bigger and stronger, the workers in that industry alone must have all the welfare amenities, does not stand to reason in a welfare society. For example, in the Iron and Steel Industry though Iron Ore, Coal, Lime-stone, Fireclay and Dolomite are necessary; only persons engaged in mining Coal and Iron Ore are covered by welfare schemes while others are not, although all the workers employed in the extraction of these minerals are feeding a common consumer industry. By the creation of a General Miners' Welfare Fund, this discrimination can be put to an end.

19.8. The Committee is of the view that the General Miners' Welfare Fund would go a long way in organising welfare measures for miners engaged in various minerals. This fund may be in addition to the existing welfare funds in Coal, Mica, and Iron Ore and may be constituted on the same lines. The Committee considers that since the levy on any minor mineral will ultimately be paid by the consumer it should be restricted to the minimum. The quantum of levy would have to be considered separately in respect of each mineral. The levy of cess on such minerals should be on the basis of value i.e. *ad-valorem* or on the basis of tonnage produced. The levy on tonnage basis would not be justified in case of certain minerals whose production is low but prices are very high.

19.9. We, therefore, recommend that the best solution would be to divide the minerals into a number of groups on the basis of prices and to levy cess at different rates as under :—

- (i) For minerals whose value is upto Rs. 25 per tonne, a cess of 25 paise per tonne may be levied.
- (ii) For minerals whose value vary from Rs. 25 to Rs. 50, a cess of 50 paise per tonne may be levied.

- (iii) For minerals fetching prices higher than Rs. 50 per tonne, the rate of levy may be Re. 1 per tonne.
- (iv) In the case of precious stones, and minerals where the unit is carats or kgm., the cess should be levied on the *ad-valorem* basis ranging between 1% to 2½% of the value.

It is felt that this will help in distributing the burden on each mineral equally.

19.10. Within the realisation on the basis of tonnage from 0.25 paise to Re. 1 and on *ad-valorem* basis at the rate of 1% to 2½, the Advisory Committee set up for the purpose may review from time to time the priority for the various amenities. It may also review the rate of cess whenever considered necessary. It is further suggested that the collection and administration of the proposed Fund should be entrusted to one administrative agency. This may devise its own machinery to associate effectively the State Governments for the purpose of collection, administration and planning of welfare amenities for the workers. The activities of the Fund will be on the pattern of Coal, Mica and Iron Ore Labour Welfare Funds depending on the resources available to the Fund.

Administrative set-up

19.11. The details about the administrative set up in the General Miners' Welfare Fund are dealt in the succeeding chapter. The Committee is of the view that this General Miners' Welfare Fund should be an autonomous body and tripartite in character. Such a body equipped with adequate powers will be able to function properly and effectively. It is hoped that this will avoid overlapping and duplication, thus resulting in considerable saving in the administration of welfare services.

सत्यमेव जयते

CHAPTER XX

ADMINISTRATION OF THE FUND

20.1. 'Bureaucratic problems appear with age, size and complexity. Vitality in institutions, as in all physical organisms, depends on how well the mechanism responds to the aging process and to environmental change.'

20.2. "Vitality in administration is energy plus endurance, the ability to compete and the power to survive. A vital enterprise responds to people and to circumstances and adapts to changing wants and conditions. Thus vitality combines the qualities of strength, drive, endurance, sensitivity, responsiveness and adaptability in a synthesis called Institutional Government".¹

20.3. Social Welfare Administration, by its very nature has to be dynamic, speedy and effective. It also envisages co-operation of a large number of voluntary workers at different levels. If the object is to be met it seems that a radical change in the present administrative set-up will be necessary.

20.4. The Coal Mines Labour Welfare Fund was created by an Ordinance in 1944 which was replaced by an Act of Parliament in 1947. The Act is based on the system of diarchy. The fund is administered through an Advisory Committee and the Chairman and the Vice-Chairman of the Fund are vested with certain statutory powers. The residual powers are vested in the Government of India to be exercised through the Department of Labour & Employment. This was the earliest Organisation to be set-up. Within these 25 years several experiments have been made. Beginning with a Corporation for the Damodar Valley Project the Government of India have now switched over to the Company form of administration for managing the Public Sector Undertakings. The obvious advantages in the Corporation form of administration are the flexibility and the speed with which projects can be executed. It was in consideration of this fact that the Committee has made a recommendation to the Government of India to set-up a Corporation for administering the General Miners' Welfare Fund.

20.5. Based on the pattern of coal, two other Welfare Funds viz. for Mica and Iron Ore have been established. These Funds have launched several welfare schemes almost similar to those being implemented in coal viz. Housing, Medical and Health, Water Supply, Education/Recreation etc. The coal industry is spread over seven states, comprising the States of Bihar, West Bengal, Madhya Pradesh, Andhra Pradesh, Maharashtra, Orissa and Assam. Coal has been found in small quantity in Jammu and Kashmir also. Mica mines are located in the States of Bihar, Andhra Pradesh and Rajasthan and Iron Ore Mines are situated in the States of Bihar, Orissa, Madhya Pradesh, Mysore, Andhra Pradesh and Goa. It would thus appear that geographically the three Funds are co-extensive and are operating in the same belts.

20.6. The welfare activities enumerated above are only segments of the major scheme viz. Social Security Scheme. In other words the Welfare Fund

is the nucleus of the Social Security Scheme. If a Social Security is to be ushered in this country, it is necessary that these segments of a Common Scheme should function in complete harmony and with unity of purpose. In the interest of achieving the larger objective of managing a Social Security Scheme in this country; it is absolutely necessary that these Funds should be integrated and the resources pooled together to be run under a common Agency and under a common direction of policy and programme.

20.7. In consideration of the facts mentioned in the foregoing paragraph, the Government of India have already announced a policy decision that a 'Welfare Complex' will be established. Necessarily this means that all miners employed in Mining Industry in India will be brought together under the aegis of a Common Organisation which will ensure uniformity and basic minimum standards of welfare for the working class.

20.8. Taking into consideration the total number of persons employed in mining industry, which comes to about 7 lakhs (3 Statutory Funds now operating over more than 5 lakh persons) there should be no difficulty in providing welfare measures for the remaining miners employed in the mines spread over the remaining parts of the country.

ADMINISTRATIVE SET UP

20.9. The Committee has already recommended the establishment of the Mines Welfare Directorate on the lines of the set-up of Directorate General Mines Safety for looking after the welfare amenities in mining establishments. Under the circumstances, it is necessary that all the existing statutory welfare funds be pooled together and placed under one administrative agency. In view of this we recommend that all the existing Statutory Welfare Funds namely Coal Mines Labour Welfare Fund, Mica Mines Labour Welfare Fund and Iron Ore Mines Labour Welfare Fund be pooled together and placed under one administrative agency like Directorate General Mines Welfare and the Directorate should be empowered to implement and enforce statutory and non-statutory welfare measures for all mines in India. Its set-up should be on the lines of the Directorate General, Mines Safety and should work region-wise as per location and density of miners in different areas of the country with headquarters at Dhanbad so that the co-ordination programme with Mines Safety should continue.

20.10. Under Mines Safety, broadly, the whole country is divided into 13 regions. The regional offices are established in or about principal mining areas. Each region is under the charge of a Joint Director Mines Safety. Under him, there are three or four Deputy Directors/Assistant Directors. In turn, two or three regions form a zone which is under one Director. These regions were developed after years of experience for meeting the requirements of the recommendations of first and second Safety Conferences for increased supervision of the safety standards.

1, Marshal E. Domick—Administrative Vitality—p. 5.

20.11. As a result, the Directorate General Mines Safety have laid certain standards for covering inspection of all mines. It is its policy to see that all mines are inspected once a year forming a part of general inspection. Big mines are to be inspected at least once in every six months. More frequent inspections are done of important mines having certain peculiar problems like water, ground-control, dangerous gases etc. On these, the number of inspection days are worked out fixing the work-load for the various categories of officers in the regional offices. It was found that ordinarily a region should not be having mines whose total employment does not exceed 30,000 to 35,000 workers and a zone about a lakh of workers. This is to ensure that the inspections are maintained at a reasonably high standard and preventive check on the safety provisions are kept under constant supervision.

20.12. The proposed Directorate General Mines Welfare may follow the pattern of Mines Safety. It may have the regional offices at the principal mining areas, keeping in view the density of mines, number of miners, the distance and the welfare programmes for such miners.

20.13. In the formative years of this Welfare Organisation, the Regional Directors should have close liaison with the Mines Safety Department.

20.14. Under the proposal for integration of Coal, Mica and Iron Ore Organisations, it is also proposed that Mines Welfare Directorate under Director General of Mines Welfare be set up as follows :

DIRECTOR-GENERAL MINES WELFARE

1. Director (Coal Mines).
2. Director (Non-Coal Mines).
3. Director (Medical & Public Health).
4. Director (Engineering).
5. Director (Finance).
6. Director (Administration).

20.15. As a first step towards this, it would be desirable to divide the entire mining areas of the country into sizeable regions, may be on the lines of Mines Safety Directorate as given below :—

1. Dhanbad Region No. I (Bihar).
2. Dhanbad Region No. II (Bihar).
3. Ramgarh (Bihar).
4. Kodarma (Bihar).
5. Sitarampur (West Bengal).
6. Asansol/Raniganj (West Bengal).
7. Shahdol (Madhya Pradesh).
8. Warangal (Andhra Pradesh).
9. Nagpur (Maharashtra).
10. Ajmer/Jaipur (Rajasthan).
11. Chaibasa/Barbil (Orissa).
12. Oorgum (Mysore, Madras and Goa).
13. Digboi (Assam).

20.16. The Directorate General Mines Safety have also opened several Sub-regions depending upon the type of work required in these areas.

20.17. The above organisation may run on the lines of a Corporate body like Employees State Insurance Corporation with Directorate General Mines Welfare as its Chief Executive. The main idea is that the activities of the Fund should not be subject to day-to-day restrictive control of the Government but should move through the organisation if the welfare activities are to be carried out effectively. We, therefore, recommend that in order to ensure that the welfare amenities which are financed out of the cess levied on coal, mica and iron ore, and through such impositions or levies which may be decided in future for other minerals, including minor minerals, are provided, implemented and executed with speed without administrative over-lapping. An autonomous Corporation may be brought into being, with the amalgamation of the three existing Funds to start with. This set up will embrace the proposed Directorate General Mines Welfare.

20.18. In the Company or Corporation form of administration, it would be easier to delegate powers to the Chief Executive who, in turn, will delegate to the various administrative units working in different regions of India.

CHAPTER XXI

PLANTATIONS INDUSTRY—A GENERAL DESCRIPTION

Plantations in India

21.1. The coverage of plantations in India differs from the definition of plantations adopted by the I.L.O. It includes "any agricultural undertaking regularly employing hired workers which is situated in the tropical or sub-tropical regions and which is mainly concerned with the cultivation or production for commercial purposes of coffee, tea, sugarcane, rubber, bananas, cocoa, coconut, groundnuts, cotton, tobacco, fibres (sisal jute and hemp), citrus, palm oil, cinchona or pineapple." Crops like rice, chicory, cardamom, geranium and pyrethrum, also fall within the definition of plantations as per I.L.O. Convention No. 110 concerning conditions of employment of plantations workers. This Convention does not, however, cover family or small scale holdings which produce mostly for local consumption and do not employ regular labour. The Plantations Labour Act includes only Tea, Coffee, Rubber and Cinchona, the first three being the major ones. In view of the shifting nature of the other crops and the difficulties involved in treating them at par with labour employed in the existing plantations industry in the country, the Committee decided that its study should be confined only to the three major plantations namely tea, coffee and rubber.

History of the development of major plantations

21.2. Of these three plantations, tea occupies the most important place in the economy of the country. Indigenous tea plants were discovered in Assam in 1823. It now covers maximum area under cultivation, compared to coffee and rubber, accounts for largest production in plantation and is a major source of employment. The main tea growing States are Assam, West Bengal, Kerala, Mysore and Tamil Nadu. Some tea is also grown in Bihar, Uttar Pradesh, Himachal Pradesh and Tripura. The total area under cultivation of tea in 1967-68 was 3.48 lakhs hectares, 80 per cent of which is concentrated in the North East and the remainder in the South Indian States. The total production in 1967-68 was 383 million kgs.

Export of Tea

21.3. Tea ranks second among the export commodities of the country and provides valuable source of foreign exchange. Table* below indicates the position in this regard :—

*Source.—(i) "Area, production and yield of principal crops in India", 1949-50 to 1967-68 published by Directorate of Economics and Statistics, Ministry of Food and Agriculture.

(ii) "Basic Statistics Material relating to Foreign Trade, Production and Prices"—Economic Adviser's Office (Ministry of Commerce).

†Source.—(i) 'Economic Survey' published by Ministry of Finance (1968-69).

(ii) 'Indian Economic Statistics', Part IV Commodity Balance-sheet, Ministry of Finance.

TABLE 1

Year	Total Production (Million Kgs.)	Exported	
		Quantity (Million Kgs.)	Value (Rs. Crores)
1960-61	321	199	123.6
1961-62	354	207	122.3
1962-63	347	221	129.8
1963-64	346	210	123.4
1964-65	372	212	124.7
1965-66	366	197	114.8
1966-67	376	190	158.4
1967-68	383	203	118.2
1918-69 (April to December)	NA	166	133.5

Coffee

21.4. Next to tea comes coffee which is confined mostly to hilly tracks in Mysore, Kerala and Tamil Nadu, with Mysore having largest acreage under coffee. The total production of coffee in 1967-68 was 72.6 million kgs. The total production and the foreign exchange earned by coffee during the period 1962-63 to 1967-68 is given below :—

TABLE†-2

Year	Total Production Million Kgs.	Export	
		In quantity Million kg.	In Value (In Crores)
1962-63	56.2	20	7.61
1963-64	69.3	23	8.30
1964-65	63.4	31	13.40
1965-66	62.1	27	12.94
1966-67	71.0	26	15.8
1967-68	72.6	34	18.2

About 2.36 lakhs of workers were employed in Coffee plantations in 1965-66; latest figures of employment are not available.

Rubber

21.5. The production of rubber is largely confined to the State of Kerala. Tamil Nadu also produces rubber, but it accounts for a very small percentage of total rubber production in the country. Employing over a lakh of workers in 1966 the country produced 54.8 million kgs. of rubber in 1966-67.

Employment—A Feature

21.6. The labour required for these plantations has generally been drawn from the nearby areas. However, in the plantations in Assam and West Bengal sizeable labour force has been recruited from outside plantation States. The employment position in plantation industry has been varying from year to year and from commodity to commodity. The following table** indicates the trends:—

TABLE 3

Year	Average daily employment in plantations (Number in Lakhs)		
	Tea	Coffee*	Rubber
1951	10.18	1.75	0.43
1956	10.05	2.27	0.62
1958	9.80	1.96	0.84
1959	9.19	2.61	0.89
1960	8.45	2.84	0.94
1961	8.23	2.85	1.02
1962	8.16	2.60 (R)	1.06
1963	8.47	2.26 (£) (R)	1.13
1964	8.19 (R)	2.21 (£) (R)	1.16
1965 (P)	..	2.36 (£)	1.22 (R)
1966(P)	..	..	1.27

It is evident from this table that the total employment on plantations from 1951 to 1966 ranged between 11.6 to 12.9 lakhs. The employment in the Tea industry has been gradually declining. The employment opportunities in Coffee industry seem to have stabilised in the vicinity of about 2.5 lakhs whereas in the case of Rubber there has been a gradual upward trend.

Plantation Worker—A Profile

21.7. Originally, these plantations were located in areas which were thinly populated or completely un-inhabited. The labour, therefore, had to be

recruited from far off places and was drawn almost invariably from the country-side. In North Eastern Region, plantation labour migrated from Bihar, Madhya Pradesh, Orissa and Uttar Pradesh, whereas in the South Indian States, majority of them hailed from the plains.

21.8. Planters have always preferred the recruitment of families rather than of individuals, with a view to having permanent and stable work-force. The existing composition of workers bears out the impact of this original mode of recruitment. Generally all the adult members of the family and young persons over 12 years work on the plantations and, as a consequence, women workers constitute a sizeable number in plantations.

Welfare Work in Plantations

21.9. In 1929-1931, when the Royal Commission on Labour enquired into the working conditions of industrial labour, it was found that a number of welfare facilities were being provided to the plantation workers. By and large, the arrangements for the supply of drinking water to workers were reasonably satisfactory though instances were found where the supply of water was obtained from surface of tanks or ponds which were liable to become polluted. Resident labour was housed rent free by the employers although the houses were generally made of kutcha material. Arrangements for medical facilities had also been made in a number of plantations though the standard of facilities varied widely between large and small gardens. In a number of gardens, two meals a day were supplied free to all children under 5 or 6 years of age. In some gardens, mothers and their infants were supplied with blankets free of charge. If there was any difficulty in obtaining milk, free milk was also given by the estates. Some facilities of recreation and entertainment too existed. These welfare measures obtaining in plantations prompted the Commission to observe that "it is remembered that even in England what is generally understood as welfare work is only of very recent growth, tribute must be paid to the time and thought which have been devoted by individual managers to the well-being and comfort of their labour forces."†

21.10. More or less same conditions of welfare amenities were found by the Labour Investigation Committee when it conducted inquiries in 1944-46. Resident labour was housed by the plantations industry although the houses were generally kutcha in North India and pucca in South India. Many plantations in South India also provided latrines. Free medical-aid was given to workers and their dependents in all plantations though the standard differed from estate to estate. Educational facilities to the children of workers were provided in a number of plantations.

21.11. In the field of legislation, prior to independence, there was no law regulating condi-

Note.—*Figures relate to agricultural years, viz., 1950-51 onwards.

‡Excludes information in respect of Andhra Pradesh.

(P) Stands for 'Provisional'.

(R) Stands for 'Revised'.

**Source.—Indian Labour Statistics, 1968.

†Report of the Royal Commission on Labour—Page 413.

tions of work in plantations. The only evidence available is that of Plantations labour Rules framed by the then State of Cochin in 1937. The other Acts, namely, Assam Labour Emigrant Act, 1901, and its improved version i.e., the Tea Districts Emigrant Labour Act, 1932, were confined to the supervision of recruitment and repatriation of immigrant labour.

Plantations Labour Act, 1951

21.12. In 1947, the Industrial Committee on Plantations was set up by the Government of India to consider the problems of plantations industry. The Committee discussed the question of framing labour code for regulating the conditions of work in plantations. A Plantations Bill was drafted and discussed in Tripartite Plantations Conference, in September, 1949, as well as in the Third Session of the Industrial Committee on Plantations in November, 1950. Largely on the basis of these discussions the Parliament enacted the Plantations Labour Act, in October, 1951. It was brought into force on 1st April, 1954 but its enforcement had to be delayed because of recession in the plantations industry.

State Rules

21.13. Subsequently Model Plantations Rules under the Act were framed by the Central Government and forwarded to all the Plantation States which have since framed their own rules in turn. Important Plantation States namely Assam, Tamil Nadu, Mysore and West Bengal enforced the Rules in 1956. States like Bihar, and Union Territories of Himachal Pradesh and Tripura preceded in 1955. Uttar Pradesh and Kerala followed in the years 1957-59 respectively. Model rules provide a certain amount of flexibility leaving enough scope for adjustment according to local conditions prevailing in the various States.

Objectives of the Plantations Labour Act

21.14. The Act provides for such facilities as housing accommodation, medical-aid, recreation and education for the children. Other welfare amenities provided include wholesome drinking water, canteens, creches and protective clothing. The Act covers Tea, Coffee, Rubber and Cinchona plantations admeasuring 10.117 hectares or more and wherein 30 or more persons are employed or were employed on any day of the preceding twelve months. By an amendment in 1960, the State Governments were empowered to apply all or any of the provisions of the Act to any plantations measuring less than 10.117 hectares or employing less than 30 workers under certain conditions. In Mysore, Kerala and Tamil Nadu Cardamom plantations have also been brought within the purview of the Act. The administration of the Act is the responsibility of the State Governments.

Coverage of Plantations Labour Act

21.15. The study of the figures for the last few years reveals that despite fluctuations in the employment position, the acreage of land under the

plantations industry in the country as a whole has been on the increase. A synoptic view of the coverage of the Plantations Labour Act in respect of Tea plantations can be had from the table given below :—

TABLE 4

Position as on 31-12-1966

State	No. of Estates	Number of Estates as % of Covered under the Plantations Labour Act	Col. 3 of Col. 2
(1)	(2)	(3)	(4)
North and North Eastern Regions :			
1. Assam . . .	755	673	90.0
2. West Bengal . . .	296	273	92.0
3. Bihar . . .	N.A.	13	..
4. Uttar Pradesh . . .	31	12	34.0
5. Tripura . . .	55	45	82.0
6. Himachal Pradesh (Mandi & Kangra)	1,385	17	0.6
Southern Region:			
7. Kerala . . .	2,539	200*	7.7
8. Tamil Nadu . . .	5,781	142	2.4
9. Mysore . . .	16	..	..

21.16. The plantation estates located in North-Eastern Region have got larger holdings with the result that the Plantations Labour Act has been extended to 90% of the estates in Assam, 92% in West Bengal and 82% in Tripura. On the contrary in the plantation States of South India, the position is quite reverse. This is because of the obvious reason that Southern States have a larger number of small plantation holdings.

21.17. Apart from the Tea estates the coverage in respect of Coffee plantations is also limited. Out of 44,466 estates of all sizes, 1,463 estates are of 10.117 hectares and above. By the end of 1967, the Plantations Labour Act was applicable to 833 estates only which works out to 56.9 per cent. This may be on account of the non-fulfilment of the criterion of employing 30 persons and above. An idea of the coverage, State-wise, can be had from the table :

*Includes some cardamom plantations which are separately not available.

Note 1.—Data in Col. 2 adopted from N.C.L. Study Group Report, (Tea) on page 4, Based on Tea Statistics—1966-67.

2. Data in Col. 3 have been arrived at after deducting the particulars of coffee and rubber plantations (N.C.L. Study Group Report) from the total.

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TABLE 5

State	No. of Estates* of all sizes	No. of Estates admeasuring 10·117 hect. and above	Col. 3 as % of Col. 2	No. of † Estates ¹ covered under P.L. Act	Col. 5 as % of Col. 3
1	2	3	4	5	6
1. Tamil Nadu	9,464	242	2·6	131	54·1
2. Mysore	16,791	1,020	6·6	646	63·3
3. Kerala	18,211	201	1·1	56	27·8
TOTAL	44,466	1,463	3·2	833	56·9

This table indicates that more than 95% of the plantations are of the smaller size, which do not fall within the purview of the Plantations Labour Act. Among the Southern States highest number of plantations have been covered in Mysore followed by Tamil Nadu and Kerala.

21.18. In the case of Rubber plantations against a total of 82,335 estates in the country, 1544 estates admeasure 10.117 hectares and above, but the provisions of the Plantations Labour Act have been attracted to 170 estates only. This comes to 11% of such Rubber estates.

21.19. The unsatisfactory coverage in the case of Rubber plantations is largely due to a peculiar

feature of the industry itself. According to facts revealed by a Study Group for Coffee and Rubber, set up by the National Commission on Labour, about 55% of the area under Rubber cultivation is owned by small holdings of 10.117 hectares and less. The total area under cultivation in this category of plantation, by the end of March, 1967, was 95,000† hectares. It will also be clear that though there are a good number of Rubber plantations which admeasure 10.117 hectares and above, these have not been covered by the Plantations Labour Act because they do not fulfil the other criterion of the Act viz., employing 30 workers or more.

The following table† gives State-wise distribution of Rubber plantations covered under the Act :—

TABLE 6
Position as at the end of March, 1967

State	No. of Estates	No. of Estates admeasuring 10·117 hect. & above	Col. 3 as % of Col. 2	No. of Estates covered under P.L. Act.	Col. 5 as % of Col. 3
1	2	3	4	5	6
1. Tamil Nadu	1,249	86	6·8	20	23
2. Mysore	66	18	27·3	4	22·2
3. Kerala	81,015	1,436	1·7	146	10·2
4. Others	5	4	80·0	..	..
TOTAL	82,335	1,544	1·9	170	11·0

*Figures relate to the end of June, 1964.

†Figures relate to the end of 1967.

@Source—Report of the Study Group for Plantations (Coffee and Rubber, National Commission on Labour, 1968).

†Source.—National Commission on Labour Study Group Report (Coffee and Rubber Plantations).

21.20. The latest information received from some states with regard to number of estates covered

and the workers employed@ therein is given below :—

TABLE 7

State	TEA		COFFEE		RUBBER	
	Estates covered	Workers employed	Estates covered	Workers employed	Estates covered	Workers employed
1	2	3	4	5	6	7
1. Assam	674	4,65,326	..	..	..	..
2. West Bengal	272	2,09,798†	..	..	..	..
3. Tamil Nadu*	139	71,663	137	9,643	22	2,154
4. Kerala	142	76,675	56	6,300	147	2,300

Revision of Wage Limit for Purpose of Coverage

21.21. The Plantations Labour Act, in its fold, covers workers whose wages do not exceed the limit of Rs. 300/- per month. Section 2(K) of the Act defines 'worker as a person employed in a plantation for hire or reward, whether directly or through any agency, to do any work, skilled or unskilled, manual or clerical, but does not include (i) a Medical Officer employed in the plantation; (ii) any person employed in the plantations including (any number of the medical staff) whose monthly wages exceed Rs. 300/-; (iii) any person employed in the plantations primary in a managerial capacity notwithstanding that this monthly wages do not exceed Rs. 300/- or (iv) any person temporarily employed in the plantations in any work relating to the construction, development or maintenance of buildings, roads, bridges, drains or canals. In view of the gradual increase in the wage-level, it is felt that the plantation workers should be brought at par with their counterparts under the Industrial Disputes Act, in respect of

the coverage of the pay-range. It has been impressed upon the Committee that there is a need to amend the Plantations Labour Act, so as to cover such workers as are in receipt of wages upto Rs. 500/- per month under the Act. We, therefore, recommend that the coverage of the Plantations Labour Act should be brought at par with the definition of a workman under the Industrial Disputes Act. And as such, Section 2K(ii) of the Plantations Labour Act, be amended.

21.22. Besides the Plantations Labour Act, workers employed in plantations industry are governed by (i) Payment of Wages Act, 1936; (ii) Industrial Disputes Act, 1947; (iii) Factories Act, 1948 (for the workers engaged in factories associated with the Plantations); (iv) Minimum Wages Act, 1948; (v) Employees' Provident Fund Act, 1952; (vi) Workmen's Compensation Act, 1953; (vii) Assam Tea Plantations Provident Fund and Bonus Act, 1955; (viii) the Maternity Benefit Act, 1961; (ix) Industrial Employment Standing Orders Act, 1956; and (x) Payment of Bonus Act, 1965.

@Source.—National Commission on Labour Study Group Report (Coffee and Rubber plantations).

†Figure relates to 244 gardens only.

*In addition to major plantations, information has also been furnished for Cinchona and Cardamom:—

Cinchona Cardamom

(i) Number of covered Estates	2	5
(ii) Workers employed	1,253	323

CHAPTER XXII

EXISTING WELFARE AMENITIES IN PLANTATIONS

A General Review

22.1. An assessment of the various amenities made to the plantation workers based on the literature made available to the Committee and the discussions held by it during the course of its visits to plantation States is given in the succeeding paragraphs.

HEALTH & MEDICAL FACILITIES

(i) Health

Introduction

22.1.1. Health facilities assume importance in respect of plantation workers due to the peculiar locational factors, governing the industry. The problem of health of plantation workers has been a subject of enquiry by various Commissions and Committees. The Whitley Commission (1929) had generally observed that there were indications to prove that both economic and general health conditions of plantation workers were of a higher standard than that of the population of the recruiting areas. The Commission had also observed that the health problems of plantation workers were given due attention by the managements. It summed up the efforts made by the planters in providing medical facilities to workers thus :

"The Plantation Manager rarely fails to realise that in carrying out the duties of conserving his workers' health, he is also serving his own best interests".

Fifteen years later the Labour Investigation Committee had, however, different observations to make on the deteriorating conditions of health in respect of tea garden workers on account of malnutrition, especially in Assam and West Bengal. In its Report, the Labour Investigation Committee, made a detailed mention of a survey undertaken by Dr. Lapping¹ and later by Shri K. C. Datta², on malnutrition amongst the plantation workers. These surveys established that malnutrition generally existed amongst workers in tea estates and it was caused by high prices, scarcity of articles of food containing vitamins and lack of purchasing power with labourers.

Dr. Llyod Jones' Observations

22.1.2. It would be relevant to draw reference to the special study made by Dr. Llyod Jones M.D., the then Deputy Director General Public Health, Government of India, into the "Standards of medical care for tea plantations in India". Even though Dr. Jones' observation was in respect of the provision of group specialised hospitals, it had a bearing on the general health and sanitation facilities for plantation workers. It was mentioned therein that what was required was not so much of large hospitals with specialised treatment, but efficient sanitation and a balanced diet which would give them an increased stamina and resistance to disease.

22.1.3. The findings of the above authorities greatly influenced the enactment of the Plantations Labour Act in 1951, which envisages the provision of wholesome drinking water for all workers, separate latrines for male and female workers, canteens, etc.

(ii) Supply of Drinking Water

Pre-1951 Position

22.2.1. Even though the water supply arrangements were adequate to some extent, according to the Report of the Royal Commission on Labour, it was not difficult to cite instances where the supply of water had not been of a satisfactory character, especially at places where water was taken from surface tanks or ponds. In some of the plantation areas, the prevalence of bowel diseases was noticed which indicated the urgent need for the provision of pure drinking water. According to the Labour Investigation Committee water supply was generally adequate in Assam, though it was mostly drawn from open surface-wells, which were not covered. Similar was the position in West Bengal. In Darjeeling area, however, no special arrangements were made for supplying water to workers, because water was mainly drawn from the small springs that flowed through the tea gardens. This created problems especially in summer season when the springs went dry. The position of water supply in the plantations of South India was comparatively better, on the whole, though arrangements for piped water supply existed in some plantations only.

Post Enactment Position

22.2.2. Section 8 of the Plantations Labour Act requires every plantation to make effective arrangements for providing and maintaining at convenient places in the plantations, a sufficient supply of wholesome drinking water for all workers. The Rules framed by the State Governments cover such matters as the source of supply of water, its storage, cleanliness, etc. These rules with the exception of the one framed by the Government of Kerala also stipulate that drinking water facilities should be made available at work-places at all times during the working hours. The Rules framed by the Government of Kerala do not make a specific mention about the facilities to be provided at work sites, but, lay down the drinking water facilities should be provided at convenient places in the plantations.

Labour Bureau Survey of Labour Conditions 1961-62

22.2.3. The Survey of Labour Conditions conducted by the Labour Bureau in 1961-62 revealed that 83 per cent of the tea plantations in the country had the facility of drinking water at work-sites. Region-wise investigations show that in Assam and Tripura, 98 per cent and in West Bengal 82 per cent of the Tea estates had provided this amenity. In the Southern States the percentage of estates providing drinking water facility

1. Labour Investigation Committee's Report on Condition of Labour in Plantations—Page 60.
2. Assistant Commissioner of Labour, Assam (1943).

was as low as 44 per cent. In North-Eastern Region, the reasons ascribed were the availability of the natural springs or ponds in the plantation areas with the result that the planters did not deem it essential to provide the drinking water facility.

22.2.4. In respect of Rubber plantations, only 50 per cent of the large and about 39 per cent of the small estates (nearly 42 per cent of all estates) had made arrangements for the supply of drinking water at work-sites. The position in respect of Coffee was still bad. About 35 per cent of the estates had made arrangements in this regard at work-sites. The Survey further indicated that arrangements made for the supply of drinking water was predominantly in the form of buckets, drums, tins and/or pitchers in all the centres except South India where the supply of water through tap accounted for the bulk of the arrangements.

Present Position

22.2.5. According to the Annual Reports on the working of the Plantations Labour Act, the compliance of this provision is reported to be satisfactory. The Reports do not, however, give any quantified account of the drinking water facility which have been developed since 1961-62. In Tamil Nadu, the State Plantations Labour Advisory Committee had considered the existing facilities for sterilisation of water in each estate with a view to ensuring that enough water supply for each day was provided after necessary chlorination. The Advisory Committee had also recommended a detailed study of the problem, by a tripartite Sub-Committee, under the Chief Water Analyst, of the sources of supply of drinking water and make recommendations for the supply of un-polluted water.

Workers' View Point

22.2.6. Some workers' organisations have pointed out the inadequacy of the arrangements of the drinking water facilities at work-place. The drinking water facility at work-place and in the labour-lines in the district of Cachar in Assam is said to be extremely inadequate. According to workers' unions, the main source of supply of water are kutcha wells and the tanks from where water is drawn by workers and the arrangement for disinfection is most unsatisfactory. The problem during winter season becomes more acute because wells and tanks get dried up. All these lead to a conclusion that the arrangements for drinking water supply, are not uniformly satisfactory in all the estates.

22.2.7. The defaulters in the States of Assam, Tripura and West Bengal, are mostly small estates. As the provision of this facility is a statutory obligation, a stricter enforcement of the Plantations Labour Act would go a long way in improving the existing arrangements. It would be safe to provide a piped supply of chlorinated water through stands at convenient points and if this is not feasible efforts should be made to provide tube wells. These efforts need to be supplemented by local panchayats which collect cess from plantations. This view-point was emphasised by the Labour Minister, Assam, at the time of Committee's tour to that State. Health education can establish a practice of drinking boiled water wherever protected water supply is not available. In the State of Kerala, where rules do not specify that drinking water facilities should be made available at the work-place, there is need to make a suitable amendment to the rules to provide for this.

(iii) Sanitation

22.3.1. The importance of adequate arrangements for sanitation in plantations has been emphasised both by the Whiteley Commission and the Labour Investigation Committee. These bodies had commented on the large scale prevalence of hook-worm infestation among plantation workers and have attributed this to the absence of proper latrines in plantations. They had, therefore, suggested that arrangements should be made for constructing latrines at suitable places in the fields, with a view to checking the hook-worm infestation, which was rampant in the plantation areas.

Plantations Labour Act, 1951 Vis-a-Vis State Rules

22.3.2. As the provision of this facility was generally neglected both in South and North-Eastern plantations, it was considered essential to incorporate this facility in the Plantations Labour Act as a statutory obligation on employers. The Plantations Labour Act envisages the provisions of latrines and urinals of prescribed type separately for males and females in every plantation and it should be situated at a convenient and accessible place to workers employed therein. On the basis of the Model Rules, all the State Governments framed rules from time to time. The State rules also require the planters to construct and maintain drains. The rules framed by the Governments of Assam, Tamil Nadu, West Bengal, Kerala, Uttar Pradesh and Punjab require every plantation to provide latrines on the scale of one for every 50 acres of the area under cultivation or part thereof, subject to a minimum of one latrine each for either sex. The rules also stipulates that latrines other than those connected with an efficient water borne sewage system should comply with the requirements of public health authority. As regards the urinals, the rules framed by Assam, West Bengal, Tamil Nadu and Punjab provide that they should be on the same scale as latrines. However in respect of Uttar Pradesh, it has been specified that each plantation should have one urinal for every 10 acres of the area under cultivation or part thereof. But in the case of Kerala, no mention has been made of urinals.

22.3.3. The Union Territories and the States, which have not enforced the rules regarding the provision of conservancy are Tripura, Bihar and Uttar Pradesh. However, some of the planters have provided latrines facility in these States on voluntary basis.

Survey of Labour Conditions

22.3.4. The Survey of Labour Conditions of Plantations' Workers, 1961-62, did not reveal much improvement in this respect. According to the Survey about 5% of the estates in Tea plantation, 14% in Rubber plantations, 1% in Coffee plantations had actually provided latrines at work-places. Urinals had been provided only by a negligible number of estates.

Enforcement Aspect

22.3.5. In response to the Committee's questionnaire and requests for details of existing welfare facilities, information received from the State Governments is of a general nature. In Mysore, although sufficient urinals and latrines have been provided in some of the estates, the workers in

general, it is stated, are not in the habit of using such facilities and they prefer to use open fields for this purpose. In Tamil Nadu, the Plantations Labour Advisory Committee and the Plantations Labour Housing Advisory Board went into the details of the provisions of the conservancy facility. These Committees have recommended that separate individual latrines should be provided for each house at a distance of not less than 50 ft. away from workers' houses and the latrines should be of septic or aqua-type. The other recommendations of this Committee are that wherever flush-out latrines are provided, one flush-out may be provided for two houses subject to the condition that it is approved by the Chief Inspector of Plantations. It has also been emphasised that adequate supply of water should be provided in or near the latrine. The Annual Reports of the Government of Tamil Nadu on the working of the Plantations Labour Act do not contain detailed information except for a mere mention that the latrines have been provided near workers' houses, weighing and muster-sheds and the offices in all the plantations. The Annual Reports of West Bengal and Assam do not throw any light in respect of the provision of conservancy facilities. In the case of Kerala, however, it has been reported that the latrines have been provided wherever standard houses are allotted to the workers.

22.3.6. Two important employers' organisations, namely, the Indian Tea Association and the Tea Association of India have stated that the provision of latrines is not necessary in the fields because this facility is not popular with the workers. On the contrary, the Estate Staff Union of South India and the Neelamalai Plantations Workers' Union, Coonoor have highlighted the absence of this facility, and have emphasised that this essential amenity should be provided at the work-place as well as near the housing colony without fail.

Conclusion

22.3.7. From the above discussion, it could be seen that provisions relating to conservancy have not been provided to the required extent. Besides providing this essential amenity all efforts must be taken to persuade the workers to make use of latrines. Lamprell and Ramsay have in their Report on 'Conservancy for Tea Estate Labourers in India' pointed out three essential conditions that should be fulfilled to make the plantation workers use the latrines. They are "Firstly, the latrines must be properly constructed; secondly, they must be introduced to the labourers with a campaign of propaganda and education; and thirdly, one latrine must be supplied to each house-hold".* This Committee recommends that besides fulfilling these conditions employers should provide preferably septic latrines at work places at the rate of one for 50 acres with a minimum of one for either sex.

(iv) Medical

Pre-enactment Position

22.4.1. To upkeep of general health of worker that would help in sustaining his productive efficiency, depends closely on the nature and extent of medical facilities which may be provided to him and his family. It is a fact that a number of

planters were providing this facility to their workers.'

Royal Commission's Observation

22.4.2. The Royal Commission had pointed out that the progressive planters were providing medical arrangements of a high order and in the case of smaller units, group facility was made available. But this particular phenomenon of the joint facility was not universal. In respect of smaller plantation, it was observed that both in respect of medical personnel and also the general maintenance of the dispensaries and hospitals, the position was not satisfactory. The Commission witnessed the existence of Central Hospitals and suggested for augmenting its number, in view of the advantages of treatment in such hospitals. The Report had also highlighted the need for the appointment of lady doctors, in view of the employment of a sizeable number of female labour in plantations.

Labour Investigation Committee

22.4.3. The observations of the Labour Investigation Committee did not indicate any marked improvement in the state of affairs since the enquiry of the Whitley Commission. It was pointed out in its region-wise enquiry that the dispensaries of the Indian owned gardens were mostly manned by the compounders in-charge in Assam. Dearth of lady doctors in general and absence of proper arrangement for ante-natal and post-natal treatment were mentioned in the Report in respect of Assam. In respect of confinement, it was observed that women generally preferred their homes rather than hospitals both on account of the general backwardness in their outlook and in the absence of lady-doctors and mid-wives in the hospitals. Most of the dispensaries of the small plantations had no indoor accommodation. Mention was also made of the common ailments in the gardens of Assam, which were malaria, dysentery, anaemia and respiratory diseases.

22.4.4. As regards Bengal, the position was not much different from that of Assam, particularly, in the gardens situated in Dooars. Most of the gardens had the facilities of dispensaries which were equipped with common medicines for treatment of their labour. Wide contrast was noticed in the available facilities between the smaller and bigger gardens. The Committee was of the view that minimum standard of treatment should be laid down so that workers were not deprived of good treatment. Another important observation made in respect of the indoor hospital facilities was that patients, who were admitted, were neither given any free food nor there was any cooking arrangements within the premises with the result that the workers were generally reluctant to get themselves admitted as in-patients.

22.4.5. The position in respect of Southern plantations was reported to be comparatively better where workers enjoyed free medical-aid but the benefit did vary from estate to estate. For example, the plantations at Kanan Devans Hills had very efficient and well-equipped hospitals-cum-dispensaries provided by the Company. On the other hand, in Nilgiris and Malabar areas only few estates had dispensaries and none of the estates had the hospital facility. This was, perhaps, because of the

*Report of Labour Investigation Committee on Conditions of Labour in Plantations in India—page 59.

easy accessibility to the Government hospitals and dispensaries nearby where the cases were referred to by the planters.

22.4.6. Similarly, in Rubber and Coffee plantations, which were generally small, there was no dispensary facility, though they had some arrangements with Government hospitals or private practitioners. In this regard, the Rege Committee desired that the Rubber and Coffee estates should be at par with Tea estates. It was emphasised that those estates where the number of resident labour was 500 and above should provide a dispensary duly manned by a qualified doctor and a mid-wife. And in the case of smaller estates owned by a Company, apart from Government hospital, dispensary facility should be provided in each estate. The facilities for confinement of women workers were comparatively better in Southern States, and the expectant mothers were encouraged by planters to come to hospitals for confinement.

Dr. Jones' Report

22.4.7. The Report of Dr. Jones', the then Deputy Director-General, Public Health, Government of India, was published in the year, 1947. The Report was an assessment of the then existing medical facilities and aimed at prescribing satisfactory standards wherever necessary. Dr. Jones, after carrying out an extensive survey of the plantations in North-Eastern and Southern Regions, observed that the conditions of general health of the labour in Assam and West Bengal were depressing. In contrast to this, his impression in the Southern plantations was that the general health of the labour was comparatively better. The contributory causes were, somewhat better level of literacy, good climate all the year round, better housing conditions and better drinking water supply. Superior medical and health services were also mentioned in this context. The overall observation was that in the plantation areas, the vast bulk of the mortality and morbidity was the result of the conditions arising from poor diet, inefficient sanitation, contaminated and insufficient water supply and general ignorance of the worker.

22.4.8. Dr. Jones prescribed certain norms in respect of the strength of the medical personnel in plantations' hospitals. His recommendation was that one doctor and one mid-wife should be appointed for every 2,500 persons in the estates. Similarly, in respect of nurses, he suggested that one nurse should be appointed for every 1,000 persons. This was the first attempt at drawing up standards of medical care for plantation workers.

22.4.9. In his Report, Dr. Jones had also commented on the role of Garden Hospitals in plantation areas. It was suggested that the Garden Hospitals should function as health centres as well as the treatment centres and the medical staff should concentrate on preserving the health of the people under their care, and not merely on curing their diseases as they arise. To quote Dr. Jones: "That Garden Hospitals should form the first line of attack against excessive mortality and sickness.....".

Plantations Labour Act

22.4.10. Section 10 of the Plantations Labour

Act, 1951, provides for medical facilities. These are:

- (i) In every plantation, there shall be provided and maintained so as to be readily available such medical facilities* for the workers (and their families) as may be prescribed by the State Government.
- (ii) If in any plantation medical facilities are not provided and maintained as required by Sub-section (i) the Chief Inspector may cause to be provided and maintained therein such medical facilities and recover the cost thereof from the defaulting employer.
- (iii) For the purposes of such recovery, the Chief Inspector may certify the costs to be recovered to the Collector, who may recover the amount as an arrear of land revenue.

The Plantations Labour Act empowers the State Government to frame rules on the basis of Model Rules suiting the local requirements of the States, which may vary from region to region.

State Rules : A Brief Account

22.4.11. State Governments framed necessary rules envisaging the creation of Garden and Group Hospitals. While the Garden Hospitals are meant for patients not requiring elaborate treatment, the Group Hospitals deal with all sorts of cases which require specialised treatment. The rules require that the plantations employing 1,000 or more workers will run their own Garden Hospitals while those employing less than 1,000 workers and situated within a reasonable distance from another hospital may, with the approval of Chief Inspector of Plantations, combine or provide joint hospitals and dispensaries and share their expenses. In case of combined hospitals, the plantations employing more than 200 workers are required to run their own dispensaries. But small and inaccessible plantations, employing 350 or less workers, which are not within a reasonable distance from Garden Hospitals, are to have dispensaries equipped with upto 5 detention beds under the care of a full-time qualified compounder to be supervised and visited daily on regular hours by the doctor from the nearest Garden Hospitals.

22.4.12. The provisions relating to Group Hospitals have not so far been generally enforced in any State. In case of necessity the planters make arrangements with the State and private hospitals for the specialised treatment of workers. According to rules, in every State where Garden Hospitals, dispensary or combined Garden Hospitals or dispensary is not located, it is incumbent on the management to maintain a cup-board or first-aid-box equipped with the prescribed contents. Each cup-board or first-aid-box is required to be under the charge of trained first-aiders. The rules also prescribe, inter alia, the qualifications of the doctor, nurse, compounder, number of medical and auxiliary personnel to be appointed, number of beds, equipments to be maintained in the Group as well as Garden Hospitals and periodical visits by the District Medical Officers.

22.4.13. Thus, according to the rules framed under the Plantations Labour Act, the whole range of medical arrangements contemplated for plantation workers, can broadly be classified as (i) Group Hospitals—for specialised treatment like T.B.

*Inserted by the Plantations Labour (Amendment) Act, 1960 (34 of 1960) with effect from 21-11-1960.

Cancer, etc., (ii) Garden Hospitals—in the case of estates employing 1000 or more workers, (iii) Combined Hospitals—in the case of estates employing more than 200 workers but less than 1,000 workers, to be provided jointly and (iv) dispensaries—in the case of estates employing 350 or less workers and not situated within a reasonable distance from Garden Hospitals. In such cases, a dispensary equipped with 5 detention beds under the care of a full time qualified compounder and attended by a qualified doctor, has to be provided.

22.4.14. In 1961-1962, a Survey was conducted to study the labour conditions in Tea, Rubber and Coffee plantations in India. This Survey* provides a comprehensive picture of the various amenities in the plantations industry as a whole. It revealed that in almost 98% of the Tea estates, 91% of Coffee estates and 83% of the Rubber estates had provided medical facilities in one form or the other. A synoptic view of the plantation-wise position can be had from the table given below :—

TABLE 8

Position of medical facilities in plantations in 1962-63

	Tea Estates	Coffee Estates	Rubber Estates
1. Number of estates . . .	1,235	828	136
2. Percentage of estates which had provided medical facility in one form or the other .	98	91	83
(i) Percentage of estates having their own hospitals	91.3	13.0	33.1
(ii) Percentage of estates depending on contract arrangements with nearby hospitals and/or private practitioners	6.7	78.0	49.9
3. Percentage of estates where no arrangement has been made.	2	9	17

22.4.15. From the above table, it is evident that the position in respect of hospitals and dispensaries was comparatively poor both in Coffee and Rubber plantations. In respect of Coffee plantations, the reasons mainly ascribed for not providing the amenities by the 9% estates was said to be accessibility of the nearby Government Hospitals where workers could avail themselves of free treatment. In Rubber plantation, the study reveals that all the larger estates had provided dispensaries and hospitals but the deficiency was reported mainly in smaller estates. Only 7% of the smaller units had the dispensary facility and the balance of 93%, had almost neither dispensaries nor hospital facility. Of these 93%, about 69.4% were depending on the nearby dispensaries or on services of private practitioners.

22.4.16. As regards availability of medical staff in the hospitals and dispensaries the Survey also revealed that in Southern plantations, about 68% of the Tea estates had full time doctors and other staff, including nurses, mid wives, compounders and other allied staff, followed by West Bengal with 41.5% and Assam and Tripura, with 38.8%. Taking all the plantations together, only about 43.9% of the estates in the country had full-time doctors and other staff, whereas the rest of the estates had part-time arrangements.

22.4.17. The information in respect of the provision of first-aid-boxes provided in Tea estates was that 70% of the estates maintained first-aid boxes properly equipped with prescribed contents. Against this, the position in Assam and Tripura was 78% and South India 64%, but, in case of West Bengal it was found that none of the estates maintained the first-aid-boxes. In Assam 56% of the estates had placed first-aid boxes under the charge of trained staff whereas in South India all the plantations had fulfilled this requirement.

22.4.18. The workers' organisations in general have expressed that though elaborate provisions are contained in the Plantations Labour Act, in practice the position of medical amenities actually available is not very encouraging. The hospital arrangements for indoor patients are very often poor and medical personnel in most of the hospitals are not adequate. In West Bengal, the workers' organisations have underlined the conspicuous absence of well-equipped hospitals with qualified medical officers and prescribed medical accessories. Another point which has been made in general relates to inadequate diet facilities to the patients admitted in the hospitals. According to them, the existing standard of diet prescribed for patients needs to be revised. Even though the Act has been enforced for more than 13 years, no substantial improvement is said to have taken place in this field. The inadequacy of treatment facilities for major diseases like T.B., Cancer and occupational diseases has also been highlighted by these organisations. In their evidence during the tours of the Committee in Assam, they contended that the treatment of T.B. and other complex diseases was not available to the required extent to the plantation workers. It was further alleged that there was a tendency among the managements to reduce the expenditure on medical provisions. In the case of Cachar region, it was stated that large number of casual labour was employed more or less on a continuous basis but medical facilities were denied to such workers.

22.4.19. In respect of Southern States, organisations like Estates' Staff Union of South India have contended that, though there are good hospitals, these are very few. Another organisation, i.e. Neelamalai Plantation Workers' Union has observed that in practice wherever joint medical services are in operation, it is found difficult to enforce such provisions; reasons ascribed being that the doctors find it difficult to move around from one estate to another and non-availability of necessary drugs in hospitals and dispensaries.

*Surveys were confined to plantations covered under the Plantations Labour Act, 1951 and listed with the State Governments in the absence of complete list of all plantations. For the purpose of survey, plantations in different strata were divided into two size groups viz., large and small. The criterion adopted for this being average employment size of plantations in various centres. Sample of 25 per cent in the case of large and 12.5 per cent in the case of small plantations was taken with a view to arrive at reliable results.

22.4.20. In Kerala and Mysore, practice of appointing medical staff not adequately qualified has been brought to the notice of the Committee. In Mysore, the overall position regarding arrangements of medical facilities is reported to be far from satisfactory. The inadequacy of medical personnel has also been accepted in general by the Government of Mysore. The reasons adduced by the Government in this regard are that doctors are more interested to serve in urban areas than in villages and general shortage of doctors has also accentuated the problem in plantations.

Employers' Organisations

22.4.21. Though medical facilities were available to workers even prior to enactment of Plantations Labour Act, it is observed by the planters themselves that the growth of systematic medical attention to cover the majority of estate workers made a beginning with the emergence of big company owned estates and strong association of employers. It is maintained that hospitals with ade-

quate staff to cater for patients requiring out-patient treatment are there in all estates, while in-patient treatment facilities are available in majority of the estates. It is their view that the provisions contained in the Act in this regard are adequate and are being implemented satisfactorily. The important employers' organisations in the industry, viz., the United Planters Association of Southern India, Indian Tea Association and various other planters' associations are of the view that the standard of medical care, equipment and number of medical personnel provided are far better than those available to other sections of the population at large.

22.4.22. According to employers, the plantations provide well equipped group hospitals with adequate staff, depending upon the size of the labour force. Heavy capital expenditure has been incurred for this purpose as given by the Indian Tea Association. Table given below indicates the position in this regard.

TABLE 9

(Rupees in crores)

Name of the Association	1963	1964	1965	Number of workers employees member in Estates as on 1965
(1)	(2)	(3)	(4)	(5)
1. Indian Tea Association	1.97	1.94	2.02	4,53,395
2. Tea Association of India	0.32	00.31	0.4	89,114

22.4.23. Besides financial expenditure, the information in respect of availability of beds and medical personnel, vis-a-vis the standards prescribed in the Act, for member estates of the Indian

Tea Association and United Planters Association of Southern India as furnished by them is given below :—

TABLE 10

Items	Requirements as per Plantations Labour Rules	Provided by	
		(*) Assam Branch of I.T.A. (As on 1965)	UPASI (†)
1. Beds in Garden Hospitals	15 per 1,000 workers	35 per 1,000 workers	N.A.
2. Doctors	1 doctor per 1,750 workers.	1 doctor for 944 workers	1 doctor per 1,831 workers.
3. Nurses	1 nurse to 700 workers.	1 nurse to 867 workers.	1 nurse to 1,102 workers.

22.4.24. The Association of Planters from Tamil Nadu has, however, different points to make in respect of medical facilities. It has suggested that there should be enough scope to enable the managements to re-organise their medical set up in

order to ensure better utilisation of the available facilities and to extend maximum benefits to the work force. The Association has also observed that stipulations in respect of beds to be maintained in dispensaries and hospitals should be determined

(*) 'Plantations' by Lt. Col. B. L. Raina, Director, Central Family Planning Institute, New Delhi.

(†) The information is based on Survey conducted by UPASI in 1958 and relates to reporting Estates.

on the basis of incidence of sickness and occupancy statistics. This would help in avoiding wasteful provision of extra beds and equipments which may remain unutilised. In its opinion, the rules need to be reviewed and modified to the extent necessary.

22.4.25. As regards the provision for specialised treatment of serious diseases like T.B., Cancer, etc., arrangements existing in some of the hospitals of Southern States deserve mention. It has been pointed out by United Planters Association of Southern India that the arrangements for the treatment of T.B. have been provided at Perundurai Sanatorium. Similar facilities exist in the Ramlingam T. B. Sanatorium at Coimbatore and the Poor Home T.B. Hospital at Manganam in Kottayam District. These hospitals have been granted some financial assistance by the Tea Board and provisions exist for reserving 15, 5 and 10 beds respectively for the workers and their families in these hospitals. In respect of Perundurai Sanatorium, treatment is free for workers, while the cost of the treatment at Ramlingam T.B. Sanatorium is borne by the Tea Board. But at the Poor Home T.B. Hospital at Kottayam, the garden workers are charged at concessional rates. In respect of eye diseases, the Moses Gnanavarman Eye Hospital at Coimbatore provides treatment at concessional rates to the workers and their families. It has also been mentioned by the planters' organisation that the Group Hospitals when fully equipped are expected to make provision for T.B. and V.D. Clinics.

State Government's Report

22.4.26. The information contained in the foregoing paras reveal that there has been conflicting opinions with regard to the medical facilities available to plantation workers. Workers on the whole particularly, in Assam and West Bengal, have contended that medical facilities are inadequate and also sub-standard. Whereas the employers' organisations have expressed their satisfaction on the implementation of the provisions of the Plantations Labour Rules in this regard. The position in the South, according to the United Planters' Association of Southern India, is satisfactory and meets the requirements laid down under the Plantations Labour Rules. The Committee, in the circumstances, has relied on the Annual Reports on the working of the Plantations Labour Act of different States. Relevant information contained in these reports have been analysed and given State-wise in the following paragraphs.

22.4.27. For the period from 1964 to 1966, the Reports indicate that medical facilities in general improved considerably in Assam. The other noteworthy points are that malaria has practically ceased to be a menace and cholera has been controlled to a considerable extent. Similarly, progress has also been made in respect of preventive measures against T.B. through B.C.G. Vaccination Programme. By the year 1966, 585 dispensaries and hospitals equipped with 12,705 hospital beds had been set up. These hospitals and dispensaries were manned by 647 doctors, 672 compounders, 618 mid-wives and dais and 226 health assistants and 500 nurses and nursing attendants.

22.4.28. The information provided by the Study Team set up by the State Government of Assam

at our instance reveal that only 31.15% of the Tea estates have the required medical facilities, as per standards laid down under the Plantations Labour Act. Though these facilities were of required standards in some of the Tea estates, but the majority of the Tea estates do not have any proper hospital accommodation, sanitary arrangements, trained medical staff, adequate provision of drugs and medicines and essential wards.

22.4.29. The position with regard to the provision of medical facilities to workers employed in small plantations was examined in some detail by the State Government and a Report was published in 1963 indicating that the medical facilities were far from satisfactory. Keeping this in view, the Medical Advisory Board examined the possibility of providing such facilities on group basis to these workers. One of the decisions was that failing suitable alternative arrangements by the employers to provide medical facilities to their workers, a cess could be realised from the employers to create a Fund for providing medical facilities on a common basis by the Government. This idea, however, did not materialise. Again in 1968 a Committee consisting of the Director of Health Services, Labour Commissioner and a representative each of the workers and employers has been set up to explore the possibility of providing medical facilities to this class of workers.

22.4.30. The information furnished by the Government of West Bengal showing the medical facilities provided in plantations is indicated below :

*TABLE 11

Sl. No.	Items	(In Number)	
		1966	1967
1	2	3	4
1	Hospitals	165	172
2	Dispensaries	229	197
3	Beds	4,060	3,906
4	Doctors	N.A.	280
5	Mid-wives	276	253
6	Nurses	263	260
7	Compounders	239	232
8	Anti-Malaria Assistants	123	44

It has also been indicated that domiciliary treatment facilities were also being provided in some of the Tea estates. Another point which has not been mentioned in the report of the State Government, but has been discussed in the meetings of the Medical Advisory Board, relates to the problem of availability of trained nurses, in the context of replacing dais who are working in the tea-garden hospitals of West Bengal. With a view to overcome this shortage, it was suggested that a training centre could be opened in the Tea districts. But, this proposal had to be dropped on account of the difficulty of taking the responsibility

*Annual Report on the working of the Plantations Labour Act (1966).

of training nurses and mid-wives by the State Government and the unwillingness on the part of the employers' organisations and Tea Board to extend any financial assistance for the scheme. As such, it was decided to retain the existing ayahs.

22.4.31. No proper arrangement for the treatment of leprosy and T.B. cases existed in the hospitals. The perusal of the proceedings of the Medical Advisory Board further reveals that incidence of leprosy among tea garden labour has been attracting the attention of medical authorities in West Bengal. After examining this and the existing facilities for treatment of such cases, it was decided by Board (June, 1958) that a Leprosy Medical Officer should be appointed to supervise the treatment of leprosy cases and to train medical officers in different garden hospitals in treating such cases. The Leprosy Medical Officer would be a specialist, attached to the Group Hospitals; one such specialist for 500 leprosy cases.

22.4.32. Of the 402 plantations in Kerala which have been covered by the Plantations Labour Act in about 125 plantations medical facilities are said to be satisfactory. 158 plantations are reported to have partially implemented the provisions regarding medical facilities. There are 9 Group Hospitals, 42 Garden Hospitals and 71 dispensaries with detention beds. Some employers have made arrangements outside the estates for the treatment of their sick workers. Most of the medium size plantations are reported to have dispensary facilities with detention beds. Arrangements also exist for the regular visits of the doctors in these dispensaries. Earlier reports have indicated that though major plantations had provided medical facilities, the position is not said to be satisfactory for the plantations as a whole. The slow progress of implementation, especially among medium size units, was mainly due to delay that took place in prescribing standards and specifications of the medical facilities on the part of the Medical Advisory Board.

22.4.33. Discussing district-wise details, the report sent by Mysore Government mentions that in Chickmagalur district, out of 465 plantations estates only 6 had provided hospitals and 54 had their own dispensaries. The rest of the estates had made arrangements for the treatment of their workers in general hospitals which were situated in nearby places. The cost of treatment of such workers is borne by the management.

22.4.34. In the plantation estates of Coorg Division, the Government Hospitalisation Scheme, which was earlier introduced by the former Government of Coorg, was in vogue. According to that Scheme, the responsibility of providing medical aid to the workers in plantation areas rests on the State Governments. The employer is, however, called upon to pay non-recurring charges of Rs. 15/- and recurring charges of Rs. 15/- per acre annually. With the framing of Mysore Plantations Labour Rules in 1956, it was not contemplated to continue this Scheme. But in view of the advantages availed of by planters, the scheme continued to operate. Further, the State Government is now seized of the proposal of amending the Mysore Rules to enable the extension of scheme to other plantation areas.

22.4.35. In respect of first-aid treatment, arrangements are reported to be existing in almost

all the plantations. The planters had also made arrangements for domiciliary treatment. However, in case of serious illness, workers were treated in the nearby Government Hospitals at the expense of the employers.

22.4.36. The Rules framed by the Government of Madras in 1955, envisage the provision of Garden Hospitals by the December 31, 1956. Regarding Group Hospitals, Plantation Labour Advisory Committee decided in January, 1961, that exemption should be granted to all plantations governed by the Act for a period of two years after the completion of provisions relating to Garden Hospitals. But, most of the planters could not provide these facilities on account of reported financial inability. This matter was considered by the Government and the Rules framed were liberalised. According to the revised specifications, the estates were divided into three categories:— (i) estates which employ 1,000 or more workers; (ii) estates which employ workers ranging between 200 to 1,000 and (iii) estates where less than 200 workers are employed. Only the first category of estates was required to have their own Garden Hospitals. Estates falling in the second group were allowed to provide their own dispensaries and have combined Garden Hospitals. The third category of estates were to maintain their own dispensaries or combined dispensaries with arrangements for a visiting doctor. The doctor has to visit the dispensary thrice a week.

22.4.37. According to the information furnished by the Government of Tamil Nadu, the position in respect of the number of estates, Garden Hospitals and dispensaries as on 30th June, 1967, category-wise is indicated in the table given below:

TABLE 12

Category	(In Number)		
	Estates	Garden hospitals provided	Dispensaries provided
1. Plantations employing 1,000 and more workers	16	12	22
2. Plantations employing between 200 and 1,000 workers.	85	21	55
3. Plantations employing 200 and less workers	193	..	11

This table makes it clear that the position in respect of bigger plantations under category I was comparatively satisfactory, whereas the provision of dispensaries was inadequate in respect of smaller plantations. In 193 such estates employing 200 or less workers, only 11 dispensaries existed. This position is far from satisfactory.

22.4.38. In Uttar Pradesh, plantation workers were divided into three categories for purposes of providing medical facilities: (i) those employing 30 to 150 workers were required to have a dispensary with a first-aid. A Medical Officer is also required to be engaged to visit the dispensary daily; (ii) those estates which employed workers between

150 and 350 should have a dispensary equipped with 5 beds under the charge of a full-time compounder while the Medical Officer should visit their dispensaries daily during fixed hours and should be available at call; (iii) those estates which employ 351 and more workers should have a dispensary equipped with 5 beds under the charge of a qualified doctor, and a fully trained nurse and staff, as may be prescribed by the Chief Inspector of Plantations.

22.4.39. In 1966, out of 12 estates covered by the Plantations Labour Act, 9 had provided medical facilities as per rules and the remaining had some arrangements. In view of the fact that there are only 12 estates in Uttar Pradesh employing roughly 1029 workers, the over-all position seems to be satisfactory. The position in respect of Bihar does not vary much from that of Uttar Pradesh.

22.4.40. In Himachal Pradesh, after the transfer of Kangra from Punjab, a sizeable number of estates have come under the control of the Government. For the provision of medical facilities, only part time Vaid/Doctors have been appointed and whenever a worker needs medical-aid, it is provided.

22.4.41. According to the rules in Tripura, every employer is to provide free medical facility to the workers and their families. There are only 57 Tea estates out of which 45 estates employing 8,000 workers are covered under the Plantations Labour Act, 44 estates have maintained dispensaries and the remaining are said to have made arrangements in this regard. The financial condition of almost all the gardens in Tripura is unsatisfactory. Most of the estates provide and maintain only outdoor dispensaries which cater to out-patients only. No Garden Hospital has been provided. The garden doctors generally refer serious cases to the adjacent Government Hospitals for treatment. The expenditure involved in such cases is borne by the planters themselves.

Conclusions

22.4.42. The account of existing medical facilities brought out in the preceding pages on the basis of information available from State Governments leads to a broad conclusion that position is fairly satisfactory in Southern States as compared to plantation in North and North-Eastern Regions. Though the medical facilities of high order have been provided by major planters, wide disparity seems to exist within the same regions. This phenomenon was observed by the Committee during its tour to Jorhat in the State of Assam. The disparity was specially marked in Stocklingta Tea estates and Duklingia Tea estates at Jorhat.

22.4.43. Inadequacy of medical and para-medical personnel was also a subject of discussion in various plantation States visited by the Committee. In Madras, the need for appointment of Lady Doctors was stressed while in West Bengal and to some extent in Assam, the difficulty was expressed in getting trained nurses to replace dais who were working in the plantations.

22.4.44. Absence of adequate arrangements for domiciliary or specialised treatment was reported in almost all the States. The need for this facility was emphasised by the workers' representatives in Assam during the course of oral evidence.

22.4.45. On the question of identification of occupational diseases and treatment thereof, the workers' representatives have stated that no study has been made about occupational diseases among the Plantations Labour. The fluff in the Tea factories affects the lungs of the workers. With the increasing use of various poisonous insecticides the occupational hazards have increased. Besides, diseases like Encephalitis, Asthma and Eczema, are also on the increase. Encephalitis was almost unknown among the plantation workers 10 years ago. Although request was made by workers' organisations to the Government of Tamil Nadu a few years ago to undertake an investigation regarding the incidence of this disease and conduct a survey for occupational diseases nothing has been done so far. During the course of oral evidence also this point was brought before the Committee. We are not in a position to make an observation without a scientific study of the problem. However, keeping in view the fact that occupational diseases should be identified and detected and also suitable preventive and curative arrangements be made in the interest of the health of the workers, we are of the opinion that the whole issue needs to be examined in detail and if necessary, a survey may be undertaken by the concerned authorities.

22.4.46. The Committee had the opportunity of visiting Ross Institute of Tropical Hygiene, Jorhat, on its tour to the State of Assam. The Institute is engaged in continuous research on problems of tropical hygiene, health, sanitation and family planning. Besides this, they are conducting short-term re-orientation courses for the managements. Such re-orientation courses may go a long way in developing a right perspective towards health and sanitation problems. It would be better for the industry as a whole if the benefit of such courses and the research are extended to small planters on such terms and conditions as may suit both the institute and the small planters.

Prescription of Drugs and Medicines

22.4.47. The Plantation Labour Act makes it obligatory on planters to provide such medical facilities as may be prescribed by the State Government so as to be readily available to the workers in every plantation. These rules framed by State Governments provide that every dispensary, garden hospitals and Group Hospital would maintain such equipments and drugs and surgical instruments as may be prescribed by the Government in this regard. It may be mentioned here that details of drugs, equipments and medicines have been prescribed only in Tamil Nadu, Assam and West Bengal. An additional feature in West Bengal is that in the event the medicines which might be required in the case of emergency but are not included in the prescribed list are also normally approved. This helps in overcoming the limitation of the list being incomplete.

22.4.48. The Committee in its deliberations felt that there is a need for keeping the minimum drug and equipment so that the workers in all the plantations areas are not put to any difficulty on account of absence of proper medicines. It would be relevant to point out that as the garden hospitals and dispensaries in plantation areas would be the centres mainly for specialised medical care of these workers, it is all the more necessary that these hospitals are well-equipped in terms of men and materials like doctors equipments, drugs, etc.

The Committee also felt that there was need to review the position in this regard every two years so that the list may be brought up-to-date by eliminating out-of-date drugs and including the new medicines. We, therefore, recommend that such State Governments where plantations are located and which have not yet prescribed list of medicines, drugs and equipments to be maintained in the hospitals under the Plantations Labour Act should be so urgently. In order that hospitals are properly equipped, the State Governments may also consider the desirability of undertaking a review at least once in two years.

Extension of Employees' State Insurance Scheme to Plantations Industry

22.4.49. There has been a demand from workers' organisations, especially in the Southern States, for extension of the benefits of Employees' State Insurance Scheme to plantation workers. The Committee in its tour to the State of Tamil Nadu was presented with this view point in the course of its discussions with the workers' representatives in plantation industry. The workers' representatives have clarified their stand that they would prefer the extension of the Employees' State Insurance Scheme subject to the condition that the workers are not called upon to make any contribution. The proposed extension has been necessitated on account of unsatisfactory conditions in respect of medical facilities. Secondly, it has also been contended that the extension of this Scheme would facilitate the provision of medical facilities to the workers working in small plantations which fall outside the purview of the Plantations Labour Act. Employers' organisations are of the view that even before medical standards were defined by the statute, the facilities of a high standard were being provided by employers voluntarily, and it had become an integral part of plantations employment. As such, there is no reason why this time-honoured practice should be changed. Further, it would not be feasible for Employees' State Insurance Corporation to set up a satisfactory net work of medical units on account of the diverse nature of plantations. Even

if attempted, it would involve colossal expenditure and the employees would also be inconvenienced on account of the distance involved.

22.4.50. The State Government of Mysore have favoured the idea of the extension of the Employees' State Insurance Scheme, but have expressed their doubts about the success of the Scheme in view of the geographical position of the plantations and the lack of conveyance facilities. The State Government of Tamil Nadu have stated that the extension would mean contribution from the side of the workers whereas at present they are enjoying free medical facilities under the Plantations Labour Act. It is apprehended that extension of the Scheme would mean withdrawal of benefits that have been conferred on workers under the Plantations Labour Act.

22.4.51. In this connection, it would be relevant to mention that the Employees' State Insurance Corporation to whom the issue was referred, did not find it necessary nor administratively feasible to extend the benefits of the Scheme to the plantations workers. It was also observed that it would be difficult for the Corporation to enter new fields which may require specialised technique for providing medical relief on account of difficult locational factor. They also endorsed the view that comparatively low wages of plantations labour may have adverse effect on the economy of the Corporation. The Employees' State Insurance Review Committee, in fact, has recommended that the plantations should be kept out of the purview of the Employees' State Insurance Scheme for the present. This view has also been favoured by the Department of Labour and Employment of the Union Government. It may, however, not be possible for the Employees' State Insurance Corporation to cover plantations in the foreseeable future. Possibility of arrangement for extending medical facilities to plantations workers, including a large number of uncovered workers, may have to be explored independent of the Employees' State Insurance Corporation.

CHAPTER XXIII

CANTEEN

Pre-enactment position

23.1. The Report of the Royal Commission on Labour does not make any mention of canteens in plantations. The absence of this facility was, however, observed by the Labour Investigation Committee. Some gardens in Assam used to give hot tea with salt and no milk. Cooked meals to workers were not being given anywhere. The provision of mid-day meal was reported in the State of Bengal, but there was no mention of it in South Indian plantations. Canteen facilities were thus provided on a very limited basis and not according to any specified norms.

Present Position

23.2. Provision of canteen in all plantations employing 50 or more workers is a statutory obligation under the Plantations Labour Act, 1951. According to Section 11(i) of the Act, the State Government may make rules requiring that in every plantation, wherein 150 workers are ordinarily employed, one or more canteens shall be provided and maintained by the employers for the use of the workers. It further lays down that without prejudice to the generality of the foregoing power, such rules may provide for (a) the date by which the canteen shall be provided (b) the number of canteens that shall be provided and the standards in respect of construction, accommodation, furniture and other equipments of the canteens, (c) the food-stuff which may be served therein and the charges which may be made therefor; (d) the constitution of the Managing Committee for the canteen and the representation of the workers in the management of the canteens; (e) the delegation to the Chief Inspector, subject to such conditions as may be prescribed, of the power to make rules under clause (c).

State Rules

23.3. In pursuance of these provisions, most of the State Governments have framed rules requiring such plantations to provide and maintain canteen or canteens with the facility for sale of tea, coffee (only in South India) and snacks to workers on no-profit no-loss basis. The Rules also envisage the displaying of the prices for the articles sold in every canteen.

Position of Canteen in 1961-62

23.4. Nearly a decade after the passage of the Plantations Labour Act, Labour Bureau, Simla conducted a Survey of Labour Conditions, to review the existing position with regard to canteens in plantations. The Survey revealed that out of 83 per cent of the Tea plantations employing 150 or more workers, only 15.8 per cent had some arrangements on the lines of canteens. Only in a few cases, managements were running the canteens themselves. In Assam, Tripura and South India, majority of the estates, encouraged contractors or individuals in the estates to serve some edibles and tea to the workers. Only in 5 per cent of the estates in Assam and Tripura, workers were running the canteens themselves. In case of arrangements through contractors or tea shops by

individuals, the managements hardly exercised any control either in respect of prices or items sold.

23.5. With regard to items, the canteens were generally giving tea, coffee (South India only) and snacks. In West Bengal, 66 per cent of the canteens were providing meals as well, while in South India, only 41 per cent of the plantations provided this service. In West Bengal, Assam and Tripura plantations, items were sold on subsidised rates. In South India, subsidy was prevalent in about 25 per cent of the plantations estates. In majority of estates, whether in South or North where canteens were provided, items were sold at market rates. In respect of Coffee plantations only 0.5 per cent of the estates employed more than 150 persons. Most of the estates were small employing generally less than 100 workers. The bigger estates make some arrangement of canteens, largely through contractors. The position, in case of Rubber plantations though slightly better, was also not satisfactory. Against 36 per cent of the estates which were under statutory obligations to provide canteens, only 29 per cent had some arrangements, namely, tea shops on the estates run by private concerns. Items in these canteens were sold at subsidised rates.

None of the States except West Bengal, has enforced the rules. Here, too, the rules have been enforced from 1st October, 1967 only. In the case of Tamil Nadu, plantations supplying free coffee or tea to workers have been exempted from the provision of canteens since 1965.

Annual Reports of State Governments

23.6. The position in respect of canteen facilities in the succeeding years can only be known through the Annual Reports on the working of the Plantations Labour Act, which are being published by the State Governments. In West Bengal, according to the information furnished by the State Government, raw tea was being supplied to the plantation labour in many estates either as a custom or as a result of the agreement between the parties before the rules under the Plantations Labour Act were enforced. The Annual Report for the year 1966 reveals that there were only 173 canteens in Assam. These canteens were mostly run by the contractors. The State Government had been endeavouring to persuade and encourage the managements to run the canteens through the canteen Committee consisting of the representatives of the managements and the workers on 'no profit no-loss' basis. But the response has not been encouraging. Even the State Government in its reply has maintained that no progress has been made in respect of canteen facilities.

23.7. In Tamil Nadu though the relevant rules requiring provision of canteens were notified to come into force from December, 1958 onwards, the enforcement of the same was deferred till the other more important provisions of the Act were complied with. But the Plantations Labour Advisory Committee of the State recommended in 1965 that such of those estates as were required to run canteens might be exempted from that obligation subject to the condition that they supplied coffee

or tea free to workers. In Kerala, even though the rules were not enforced, some sort of canteen arrangement existed in about 70 estates. By 1966, there were about 200 canteens, run either by managements or through contractors on 'no-profit no-loss' basis. The items supplied were coffee, tea and snacks. In some of the canteens, arrangements for supply of meals at concessional rates were also made. The Annual Report of the Government of Mysore for the year 1966, indicates that there were no canteens in Mysore Division as the workers were mostly resident workers, who preferred to bring their own food or go to their houses for meals. In Chickmagalur and Coorg Divisions, only one estate each had provided canteens, where tea was supplied. In other plantations, there were Coffee Clubs which were run by private parties either inside or nearabout the estates.

23.8. In Bihar, the provisions of the State Rules have not been enforced as workers in Tea gardens are said to be local people and their food habits are such that the provision of canteen in the gardens is considered not necessary. In case of Uttar Pradesh, the enforcement of this statutory obligation has not been considered essential on account of the weak financial position of the planters. Out of the 12 plantations covered under the Act, only three have provided canteen facility. These are run by private contractors whose charges are reported to be high. According to the State Government, non-implementation of the provisions can be attributed to the general apathy amongst workers towards the fuller utilisation of the facility.

23.9. This review indicates that little progress has been made in the implementation of the provisions of the Act in the matter of canteens. The causes of the slow progress in this context are the unwillingness on the part of employers and lack of enthusiasm among the workers to press for this facility. Replies received from the organisations like United Planters' Association of Southern India, Indian Tea Association and Mysore State Planters' Association indicate that employers have not been keen to implement this provision of the Act. According to them most of the workers who reside in the estates generally carry their mid-day meals with them. Alternatively they prefer to go to their houses for meals. As such, the workers do not patronise the canteens. Secondly, the Southern plantations, where a number of managements supply free tea or coffee to their workers at work sites, the need for provision of canteen is not felt. During the peak period of plucking seasons, the workers do not wish to be away from the work sites for any length of time as they do not want to waste time and reduce their earnings, which are on piece rate basis. It is also contended that without workers' commitment to utilise canteens there could be chances of wastage of food material, which is not desirable. It is also

maintained that in Assam, canteens which were run on experimental basis, proved a failure. In fact, some of the planters' Associations like Association of Planters of Kerala have gone to the extent of stating that the provision relating to canteen could be deleted without any detriment to workers' interest.

Workers' View Point

23.10. The Workers' Organisations are of the view that workers can only be expected to patronise the canteens if the eatables are made available at cheap rates and their quality is good. It has also been argued that the provision of this facility is more imperative in view of the fact that the work in the plantations is carried on family basis with none at home to cook the food. It is, therefore, necessary to provide canteens at least where more than 500 workers work on an estate (not a division). These canteens, it is contended, should sell snacks at cost price. The existence of private tea shops in and around plantations are cited as a proof of the need for opening canteens on proper lines. The workers' organisations, therefore, have asked for the effective enforcement of this provision.

23.11. During its tour to the State of Assam, the Committee visited a few plantations and observed the absence of canteens. The workers' representatives, in their oral evidence, pointed out that there was not a single canteen in the Tea gardens. They emphasised the need for proper enforcement of this provision. The need for setting up of mobile canteens, to reach the workers scattered all around, was also stressed. The employers' representatives contended that workers are being given liquid tea free of cost three times a day and it was, therefore, not necessary to provide canteens. The possibility of extending the facility of mobile canteen was considered impractical on account of scattered work places. The Labour Minister, Assam, pointed out that canteens could serve as an instrument to plan the food habits and regulate the timings of the workers dietary. This in turn, could help in enhancing the physical efficiency of workers, and serve in building up the national health through supply of nutritious and balanced diet.

23.12. Even with the existing divergent practices of providing canteen facilities, in some shape or the other, the need for regular well maintained canteen/canteens in plantations can hardly be disputed. We do not necessarily insist that the rules for the provision of canteen in plantations should be implemented without having regard to the local practices and usages already in vogue. The Committee recommends that the provision relating to Canteens or satisfactory alternative arrangements as prescribed by the State Governments should be enforced.

CHAPTER XXIV

CRECHE

Position before 1951

24.1. The Plantations Industry in India employs a large number of women workers and provision of creches is, therefore, a necessity. The Plantations Labour Act also stipulates that every plantation employing 50 or more women workers should provide a creche. The Royal Commission on Labour makes no special mention of provision of creche as such. In the course of the inspection of a few estates in Assam, the Royal Commission suggested that in the labour lines, one room could be set aside as a welfare centre and the same building with a few additions could be used as a creche. The Labour Investigation Committee, popularly known as Rege Committee, pointed out that in Assam, the creches were practically non-existent even though a considerable number of women workers were employed in plantations. It was of the opinion that the provision of properly constructed creches should be made obligatory on the planters, and the creches should be under the care of a duly qualified nurse who could give necessary care in general hygiene to children and could also impart primary education to workers' children. The planters in North Eastern region were of the view that workers did not like to avail of the advantages of creche facilities set up on experimental basis. It was also held that life in plantation and the nature of work did not warrant the provision of creches. In Coffee and Rubber estates creches were generally not provided. This view according to the Labour Investigation Committee's Report was not shared by the planters in South India. It found creches in some plantations and only one or two gardens in Docars (Bengal) had built clean creches. The provision of a mobile creche in one of the gardens was also observed there. It consisted of a tent with necessary equipment under the charge of a woman. Planters in some of the gardens were also providing one or two balanced meals to non-working children.

24.2. The position in respect of plantations in South India was comparatively better. Most of the Tea estates had some provisions or the other for this purpose. In the erstwhile South and Central Travancore, muster sheds were generally used as creches, where two or three women workers were exclusively deputed for looking after the children. In places like Anamallais, Kanan Devans and Nilgiris, a room in one of the labour lines was used as a creche. Wherever no separate place was earmarked for the purpose of creche, elderly women, in the plantations garden itself, were asked to look after the children of the working mothers. The importance of the creche facility was emphasised by the United Planters Association of Southern India long ago. According to them, the shelters for children-in-arms should be provided at convenient centres in the fields and women attendants should be employed at the expense of the employers. This suggestion, however, had not been translated into action by some of the member estates of the Association.

Plantations Labour Act, 1951

24.3. Section 12 of the Plantations Labour Act provides that :—

- (i) In every plantation wherein 50 or more women workers are employed or were employed on any day of the preceding 12 months there shall be provided and maintained by the employers suitable rooms for the use of children of such women who are below the age of six years.
- (ii) Such rooms shall :—
 - (a) provide adequate accommodation;
 - (b) be adequately lighted and ventilated;
 - (c) be maintained in a clean and sanitary condition; and
 - (d) be under the charge of a woman trained in the care of children and infants.
- (iii) The State Governments may make rules prescribing the location and the standards of such rooms in respect of their construction and accommodation and equipments and amenities to be provided therein.

24.4. The Rules prescribe standards of creches and make a provision that the children attending creches should be supplied with milk, wholesome refreshment, towels, soap, and oil, etc. They also provide for wash-rooms, latrines and appointment of staff in the creches. The provisions of the rules in respect of creches have been enforced in Tamil Nadu, Kerala, Mysore, Assam and West Bengal. In West Bengal, these came into force only from October 1, 1967. In Tripura, Bihar and Uttar Pradesh the rules have not yet been enforced. However, in Uttar Pradesh the Advisory Board constituted under the State Rules has decided that in such plantations where factories are also located, the creches maintained under the Factories Act can be made use of by the field workers.

Findings of Survey of Labour Conditions

24.5. A Survey made by Labour Bureau, Simla, in 1961-62, revealed that nearly 91% of the Tea, 37% of Rubber and 20% of Coffee plantations were under legal obligation to provide creches. Of these, only 74% of Tea, 33% of Rubber and 68% of Coffee estates had made some arrangements for a creche. In many estates in West Bengal, only mobile creches were provided in the form of tents. These were mostly looked after by untrained Ayahs. It is, however, interesting to note from the Survey that whereas some of those under legal obligation to provide a creche, had not fulfilled the requirements of law, some tea planters, who were not legally required to provide creche, had on their own provided this facility to workers.

24.6. According to the Survey, the defaulting employers in respect of Tea plantations advanced a number of reasons for non-compliance with the provision of creche. Main reasons were that (i) women workers did not require any creche facility; and (ii) number of permanent workers being limited, there was no need to provide this facility. The reasons advanced by Rubber and Coffee planters were that (i) most of the women workers were non-resident labour and as such there was no need for the provision of a creche; and (ii) a large number of women workers used

to come from nearby villages. They were employed on casual basis. They did not stick to their jobs. It, therefore, became impossible to provide a creche as prescribed by law.

24.7. A special Committee was appointed by the Government of Assam in 1962 to review the implementation of the statutory welfare amenities provided under the Plantations Labour Act. This Committee made a number of recommendations for the improvement of the creches in Assam plantations. The improvements suggested lead one to infer that the conditions of creches maintained in plantations in the State of Assam were not satisfactory. It recommended that:—

- (i) Two types of creches—a Central Creche for the children above 3 years and a Satellite Creche spread-over the work place for those below 3 years.
- (ii) Central Creche should have arrangements for Kindergarten schools with sufficient play things and other accessories for children.
- (iii) Creche mothers trained in nursing babies in the hospitals, should be engaged as creche attendants.

The standing Labour Committee of the State Government endorsed the recommendations of this Committee. It was suggested that suitable women workers may be selected and trained as creche attendants.

Reports of State Governments

24.8. The following table is compiled from the Annual Reports of the Assam Government on the working of the Plantation Labour Act.

TABLE 13

Year	No. of creches	No. of attendants	Having facilities like milk, refreshment, clothes, etc.	Average attendance
1963 .	427	343	305	16,204
1964 .	636	746	278	17,621
1965 .	838	712	329	14,549
1966 .	1,074	938	N.A.	17,244

The above table clearly brings out that the number of creches during 1963-66 increased by about two and half times. Also the number of attendants have roughly trebled. But feeding facilities and utilisation rate have remained somewhat stationary.

24.9. The Reports of the other State Governments do not give detailed information on creche facility. In respect of Kerala, the Report for the year 1966, indicated that 197 estates had provided creches. Some of the plantations were providing milk and refreshments to the children free of cost. In the State of Mysore there were only 3 creches in Mysore district. But the position of

creches in Coorg District was comparatively better. Most of the plantations which employ 50 or more women workers had provided creches, even though they were not all of the prescribed standards. The managements were building creches in conformity with approved standards. These creches supply milk, rice and kanjee to children and are in charge of Ayahs.

24.10 In Tamil Nadu, the relevant rules were framed in 1955. Though several employers provided creches, model plans and standards were laid down by the plantations Labour Advisory Committee for creches in November, 1965. According to the information furnished by the Government of Tamil Nadu, there are 127 estates, which are required to provide creches out of which 109 have provided this facility. The Standards prescribed lay down that the children upto the age of one should be supplied with milk or milk-powder, those above the age of one to be supplied with kanjee and children over two years to be given wholesome food. The State Government have observed that as children who have completed 5 years alone are admitted in schools, the care of children below that age should rest with the creches, which should also provide nursery and kindergarten education. It is also maintained that such classes should be extended to all the children of the workers in the estates instead of being confined to those attending creches.

24.11. In Uttar Pradesh, out of 12 estates covered under the Plantations Labour Act, only 7 had provided creches till 1966. The Reports of other State Governments do not contain any statistical information. But from what has been indicated above, it can be stated that the provisions of the Plantations Labour Rules regarding creches have not been fully implemented.

Views of the Parties

24.12. In Assam region, both workers' and some of the employers' organisations feel the desirability of providing satellite creches at work sites as the provision of central creches alone would not meet the actual requirements. This is necessitated on account of wide dispersal of women workers on the estates. The Mysore State Planters' Association has suggested that no changes are called for except that the minimum number of women workers for the purposes of creche, should be the number of workers ordinarily employed by any plantation, and not as on any day in the preceding 12 months. Some workers' organisations have also subscribed to this point of view, stating that similar practice is followed in the case of canteen facilities. Some other workers' organisations have suggested that the limit of minimum employment could be brought down from 50 to 25 women workers for providing a creche. The Association of Planters of Kerala has stated that creches are not useful because women are not happy in leaving their children with baby-sitters. But the more moderate view held by United Planters Association of Southern India is that the existing rules, regarding the provisions are adequate and require no change. In the course of Committee's tour to the State of Kerala, the State Government expressed the view that creches could be popular only if the required facilities were provided therein. The workers' representatives from Assam were generally critical about the functioning of the creches. It was pointed out that only a kutchha house manned by an old woman without any other facility was provided in the name of creches.

They also mentioned about the difficulty of women workers in the plantations, who are required to work under different sections on different days. And the main difficulty was in respect of breast-fed babies. This was quoted as a reason for providing mobile creche or satellite creches in plantation areas.

24.13. The workers' organisations have made it clear that implementation of the provisions of creche needs considerable improvement both quantitatively and qualitatively. On the other hand, the planters have put forward views expressing difficulties including that of finance, in

complying with the provisions and they held that the provision relating to the creche in the Act requires a de novo examination. The Committee, however, feels that the provisions relating to creche should be effectively implemented. Though the possibility of reducing the prescribed limit of women workers would be a matter of detailed study, the existing provision should be implemented in full. The Government of Tamil Nadu have suggested that kindergarten and nursery classes be provided for children upto the age of 5 years in creches. The Committee commends this suggestion.



CHAPTER XXV

(i) RECREATIONAL FACILITIES

25.1.1. Recreational facilities in plantations have been organised for a long time, but it cannot be said that they were available in all plantations. The employers have been arranging indoor and outdoor games and cultural programmes for their employees. In West Bengal, apart from occasional programmes or cinema shows, the Royal Commission had reported that annual sports were also being organised by Indian Tea Association, Jalpaiguri. In South India too, some of the estates used to organise annual sports meet or cinema shows for the workers. All these facilities were being provided voluntarily by the employers. The Plantations Labour Act enacted in 1951, however, made it obligatory upon the employers for making arrangements for recreational facilities for the workers and children employed in the plantations.

Plantations Labour Act, 1951

25.1.2. Section 13 of the Act reads thus :—

"The State Governments may make rules requiring every employer to make provisions on his plantations for such recreational facilities for the workers and children employed therein as may be prescribed".

Accordingly the State Governments have prescribed rules requiring an employer to provide and maintain a recreational centre or centres conveniently situated as near as possible to the workers' quarters with provision for indoor games for adult and young workers. The rules also provide that if adequate flat open space is available within reasonable distance, playground or playgrounds with necessary sport equipments for out door games should also be arranged. The rules permit the employer to provide recreational facilities on joint basis, as well. Rules pertaining to recreational facilities have been enforced only in Assam, West Bengal, Tripura and Kerala. Tamil Nadu, Bihar

and Uttar Pradesh have not enforced the rules so far. Uttar Pradesh, however, an Advisory Board for the Plantations Housing laid down in 1963 a minimum amount to be spent on provision of indoor games.

Survey of Labour Conditions

25.1.3. The Survey undertaken by Labour Bureau in 1961-62 indicated that nearly 87% of the estates in Tea Industry had provided recreational facilities in one form or the other in the covered units. Most of them had made arrangements for both indoor and outdoor games alongwith some other cultural programmes. Some plantations had organised either indoor or outdoor game facilities only. A few estates organised programmes only on festival days. The position of recreational facilities in Rubber and Coffee plantations was comparatively discouraging. Only 44% of the Rubber estates and 37% of the Coffee estates had provided recreational facilities in some form or the other. The Survey reports bear testimony to the fact that a good number of estates had not made any arrangement.

Present Position

25.1.4. An idea of the available recreational facilities for the period upto 1966 can be had from the Annual Reports on the working of the Plantations Labour Act of the State Governments. The State Rules framed by the Government of Assam, make it incumbent on every employer to provide and maintain one or more recreational centres for the workers with provision for a radio-set and indoor games suitable for adults and children. Wherever adequate flat open-space is available, playground with necessary sport equipments for outdoor games is to be maintained. The extent of the recreational facilities available to workers is summarised in the following table.

TABLE 14

(In Number)

	Year			
	1963	1964	1965	1966
1. Total Plantation	623	608	588	NA
2. No. of Plantations provided				
(a) Recreational Centres/Clubs	471 (779)*	657	785	890
(b) Indoor Games facilities	440	449	475	527
(c) Outdoor Games facilities	538	534	503	546
(d) Radio-sets	437 727*	436	762	951

It will be seen from the above table that the number of recreational centres had increased from

471 in 1963 to 890 in 1966. Of 623 reporting plantations in 1963, 152 plantations had no re-

*Figures in bracket indicate the total number of recreational centres and radio-sets as the case may be.

creational centres. Similarly, in the year 1966, 59 of the reporting plantations had no facility. Elaborate provisions had been made in the bigger and well-managed units only. In respect of smaller plantations, these facilities appear to have been absent.

25.1.5. In the case of West Bengal, as the rules were enforced only from 1st October, 1967, the Annual Reports of the earlier years do not contain the relevant information. However, a number of plantations had been provided with such facilities even prior to the enforcement of the Rules. In Kerala the major plantations had made some arrangements for recreational and entertainment facilities, but the Reports do not give any details of the facilities provided. In the State of Mysore with the exception of a few plantations, recreational facility in general was not provided to workers and their families. The difficulty of providing recreational facility due to lack of flat open space near the workers' quarters has been stated as a reason for the poor response from the planters. The State Government have been making efforts to insist on employers to provide this facility.

25.1.6. The picture of recreational facilities would not be complete without the mention of the activities undertaken by the Tea Board. This Board, in particular, has been extending financial assistance to planters' association for holding inter-garden/district sports meet. The other Commodity Boards have not undertaken any measures in the sphere of recreational facilities.

Employers' View Point

25.1.7. The Employers' Organisations have maintained that recreational centres and playgrounds at employers cost have been provided where facilities for locating indoor and outdoor games both for adults and children of the workers exist. The Indian Tea Association has stated that many tea gardens have been provided with recreational centres with indoor games. Besides, the managements have provided playgrounds for outdoor games wherever possible, free cinema shows and other recreational facilities.

Workers' View Point

25.1.8. On the other hand, the Workers' Organisations have pointed out that the recreational facilities have not been provided as per requirements. As regards alleged poor response from workers for the utilization of these amenities it is maintained that all the members of the workers' family who work on the field, do not get time to avail of these facilities except on weekly holidays. The Estate Staff Union of South India has further pointed out that the workers are required to work for 9 hours with a spread-over upto 12 hours a day. With a view to enabling the workers to avail themselves of the benefits of the recreational facilities, it has been suggested that the actual working hours should be reduced from 9 to 8 hours a day with a spread-over upto 10 hours. Free cinema shows, according to them would serve the dual purpose of education as well as recreation.

Oral Evidence

25.1.9. The representatives of Indian National Trade Union Congress pointed out at Tezpur that

a number of estates had no recreational facility as such. It was suggested that the clubs should be equipped with a few packs of cards, carrom-boards, a radio-set and equipments be provided for games like Table-tennis and Badminton. It was further stated that the existing disparity in the quality of the welfare amenities provided to workers and to the officers was not a desirable phenomenon and it should be removed. The workers' representatives also maintained that some of the plantations, which used to organise football tournaments on a regular basis, discontinued the practice on considerations of economy. It was stressed that such tournaments should be revived.

25.1.10. The Annual Reports of the State Governments, the replies received from the parties and the visits paid by the Committee to some of the plantations, indicate that there is a good deal of awareness amongst the employers to provide recreational facilities for the workers. Recreation has a valuable contribution to make to the quality of living. We, therefore, suggest that more attention should be paid to this aspect and the relevant provisions and rules regarding recreation should be better implemented.

(II) EDUCATIONAL FACILITIES

Pre-enactment Position

25.2.1. Way back in 1929, Royal Commission on Labour emphasised upon the need for the provision of welfare amenities to workers' children in plantations. It observed that in view of the geographical location, it was not unreasonable to look up to the employer for a bigger contribution in respect of providing educational facilities for the children of the workers.

25.2.2. The Labour Investigation Committee which, inter alia, enquired into the conditions of labour in plantations, concluded that there was lack of adequate educational facilities. It also observed that so long as child labour continued to be a profitable proposition both to employers and parents, the scheme of education on voluntary basis had little chance of success. In the State-wise discussion, it pointed out that in many gardens in Assam, which were visited by the Committee, the schooling facility was not available and even where it was available, the attendance used to be very thin. The reason for thin attendance was general apathy of the parents towards the education of their children. This apathy was mostly on account of economic necessity and general ignorance on the part of the workers. This, in no way, eclipses the fact that in some gardens educational facility was provided by the enlightened employers. In Bengal, a number of schools were in existence in the gardens of Dooars.

25.2.3. In the case of plantations in South India, the position varied from place to place. According to Labour Investigation Committee, the position of schools in the estates of Kanan Devans, Anamallais, South and Central Travancore was found to be comparatively better, whereas the estates at Mundakayam Nilgiris, Wynad Nilgiris, Coorg and Malabar as well as those in Mysore had inadequate schooling facility. The position was unsatisfactory in Coffee and Rubber plantations of smaller size.

25.2.4. The Investigation Committee further observed that the response of the workers in respect of sending their children to the schools continued to be poor for the reasons of economic necessity and general ignorance. But the employers had already recognised the importance of education to plantation workers' children. This was highlighted by the Chairman of Indian Tea Association as early as 1945. However great difficulties arising out of education may be, the dangers arising from ignorance are far greater to employer and employee alike. It was felt that the education of children was an essential pre-requisite, if the objective of raising the standards of living of the plantation labour was to be achieved. Provision of educational facilities, however, was a voluntary gesture on the part of the employers. Hence there was no uniformity of approach nor any minimum standards were laid down.

Plantations Labour Act, 1951

25.2.5. All these considerations were kept in view while enacting the Plantations Labour Act in 1951. The Act empowered the State Government to make rules in this regard. Section 14 of the Plantations Labour Act provides: "where the children between the ages of 6 and 12 of workers employed in any plantations exceed 25 in number, the State Government may make rules requiring every employer to provide educational facilities for the children in such manner and of such standards as may be prescribed".

State Rules

25.2.6. The State Governments, accordingly framed rules envisaging the employers to provide and maintain a primary school or schools free of tuition fees. These schools should be situated conveniently with a specified distance from workers' quarters and where the number of workers' children between the age group of 6 and 12 exceeds 25. The State Government, however, can grant exemption to an employer from this obligation if there is a school, under the direct management of the State Government or of any local body and where the education can be imparted free to enough number of children. This is also subject to the condition that the employer is required to pay an education cess. The rules also prescribe standards of educational facilities, number of teachers to be appointed, their qualifications, etc. These rules have not so far been enforced in Tamil Nadu, Uttar Pradesh, Tripura and Bihar. In Bihar, the necessity of enforcing this provision was not felt as all the workers hailed from the neighbouring villages and their children got their education in the village schools.

Findings of the Survey of Labour Conditions

25.2.7. According to the Survey of Labour Conditions, educational facilities were provided in nearly 66% of the Tea plantations in the country in 1961-62. The remaining 34% of estates had no schools. In schools which were run by planters, no fee was charged from the children. In the case of Rubber plantations, 86% of the estates had the schools which were run by the Government or Local Bodies in the vicinity. The balance of 14% of estates were running primary schools. In the case of Coffee plantations, about 4% of the estates provided primary schools for

the children of the workers. The Survey also indicates that the children of workers in the estates, which did not have any schools of their own, availed the benefit of the Government or Local Body schools in adjoining areas. The other reason which has been ascribed for the poor implementation in Coffee estates is that the rules concerning educational facilities had not been enforced in Mysore where majority of the Coffee estates were located.

Views of Assam Parliamentary Committee

25.2.8. It would be relevant to mention the findings of the Committee which was set up to study the working conditions in the Plantations of Assam. That Committee made some observations of general nature relating to the provision of education for the children of the workers. It stressed mainly on proper school buildings, requisite number of suitable teachers and adequate teaching aids. As a follow-up action, it was reported by the State Government that the relevant rules have since been amended laying down the standards of buildings for the schools. The employers are also required to obtain the approval of the plan of the school building from Education Department of the State Government.

Views of Workers' Organisations

25.2.9. The analysis of the replies received from workers reveals that education should not be exclusively left to the employers. The State Governments should take the entire responsibility of providing this facility. The other suggestions are that the number of primary schools should be increased. Provision should also be made for the supply of reading material free of cost to the children of the workers in deserving cases. If the opening of the schools in the nearby areas is not possible, the employers should be called upon to make transport arrangements for the children to reach the schools. It has also been emphasised that the children of the backward communities should, as a special case, have the facility of:

- (i) Free education in Higher Secondary Schools; Polytechnics, Veterinary Training Institute;
- (ii) Liberal awards of scholarships and stipends for higher study in colleges; and
- (iii) Free or subsidised hostels.

View point of Employers' Organisations

25.2.10. The employers' organisations, in their replies, have maintained that the schooling facility has been provided in all the estates. According to United Planters Association of Southern India, the types of schools which are maintained in plantation areas are (i) rural Kindergarten schools; (ii) schools run by the managements without formal recognition or assistance from Government; and (iii) primary schools which are formally recognised and aided by the State Education Department. In some of the plantations, High Schools are also provided and run by a group of plantations, in addition to those run by panchayats or municipalities. The free mid-day meal scheme has been introduced in most of the schools with the assistance of State Governments and the Commodity Boards. In Tamil Nadu and Mysore the plantations are subjected to education cess levied by local bodies and as such these are not under

legal obligations to maintain the primary schools. Notwithstanding this, a large number of estates have provided educational facilities for the benefit of the children of the workers. Regarding the workers' demand for setting up additional schools, it has been maintained that education, being the responsibility of the State Government or the local bodies should come forward to meet the additional needs.

Conclusions

25.2.11. The Committee has examined in detail the particulars of educational facilities made available in plantations, as furnished by the various State Governments and finds that the standard of

educational facility provided is neither uniform nor adequate. As the provision of educational facilities to workers' children in plantation is a statutory obligation, the planters should provide these facilities adequately and should also maintain requisite standards at par with similar institutions, wherever this is not so, in their respective States. The Committee learns that in the State of Assam, the Government have taken over the educational facilities in two districts of Sibsagar and Cachar because in some of the plantations this statutory obligation was not being fulfilled properly. The State Governments should ensure that educational facilities in plantations are effectively provided to workers' children by the employers.



CHAPTER XXVI

HOUSING

Need for housing

26.1. The interior and distant location, the nature of work and the resulting circumstances that require the labour force to reside in plantations have made housing a necessary amenity in this industry. This characteristic feature made it incumbent upon the employers to assume voluntarily the responsibility of providing housing accommodation to their workers. For the same reasons and also in the view of the fact that adequate housing conditions contribute greatly towards raising the workers health and living standards as well as efficiency in production, the Committee on Work on Plantations, under the aegis of International Labour Organisation, adopted a Resolution in 1950. It laid down that "on plantations, where circumstances require workers to reside thereon, it is recognised that the responsibility for providing housing for such workers rests on the employers." The above resolution also stated that minimum standards should be established by legislation notwithstanding the differences arising out of climatic and topographical conditions, the availability of suitable building materials and the customs and the habits of the workers, in order to provide workers with decent hygienic and comfortable houses.

Pre-enactment position

26.2. Comparatively prosperous planters were providing this facility to their workers prior to enactment of the Plantations Labour Act, 1951. But the types of houses and the nature of accommodation were not uniform in the absence of any specified standard. The Royal Commission on Labour, went into some details about the housing problem of plantation labour. It was observed therein that the poor lighting conditions, lack of ventilation, over-crowding, absence of privacy and basic amenities like drainage, latrines, etc., were the major deficiencies in respect of houses constructed by the employers for the workers in the industry. This was also confirmed by a detailed enquiry conducted by the Labour Investigation Committee in 1946.

26.3. The Committee had also highlighted the existence of an appreciable number of kutcha houses in Assam. In respect of South India, the over-crowding was said to be the worst feature. The Committee considered that as the recruitment is on a family basis, it was necessary that each family should have an independent quarter and, where the family consisted of two children in addition to the parents, the quarter should have two living rooms. In pursuance of these observations and recognising the need for improvement in the living conditions, the Third Session of Industrial Committee on Plantations held in 1950 decided that better houses should be provided for workers as per standards to be approved. It was also envisaged that the programme of housing could be completed over a period of 12 to 13 years by constructing houses of standard type for at least 8% of the resident labour every year.

Plantations Labour Act, 1951

26.4. Sections 15 and 16 of the Act read as under :

15. "It shall be duty of every employer to provide and maintain for every worker and his family residing in the plantations necessary housing accommodation."
16. "The State Government may make rules for the purpose of giving effect to the provisions of section 15 and, in particular providing for ;
 - (a) the standard and specification of the accommodation to be provided ;
 - (b) the selection and preparation of sites for the construction of houses and the size of such plot ;
 - (c) the constitution of advisory boards consisting of representatives of the State Government, the employer and the workers for consultation in regard to matters connected with housing and the exercise by them of such powers, functions and duties in relation thereto as may be specified ;
 - (d) the fixing of rent, if any, for the housing accommodation provided for workers;
 - (e) the allotment to workers and their families of housing accommodation and of suitable strips of vacant land adjoining such accommodation for the purpose of maintaining kitchen gardens, the definition of what constitutes the family of a worker for the purposes of Section 15, and for the eviction of workers and their families from such accommodation ;
 - (f) access to the public to those parts of the plantation wherein the workers are housed."

The Act empowers the State Governments to fix the standards and specifications in consultation with a Tripartite Advisory Board to be set up for this purpose. The Plantations Labour Rules of the State Governments were brought into force during the years 1955-1959. Under these rules the employers are required to provide standard houses every year to 8% of their resident workers except in the case of Uttar Pradesh where it is 5% per annum.

26.5. It would be appropriate to indicate the observations of the Plantations Enquiry Commission set up in 1956. The Commission confirmed the slow progress in respect of the provision of housing. The reason, which has been ascribed, is the non-availability of raw-materials like cement and steel in adequate quantities. The Commission further hoped that the Advisory Committees which were to be set up under the Plantations Labour Rules would keep in view the felt needs of the workers in each region and make efforts to overcome some of these difficulties.

Plantations labour housing scheme, 1956

26.6. With a view to accelerating the progress and also to help financially the small planters in fulfilling the statutory obligations in this regard, Plantations Labour Housing Scheme was brought into force with effect from April, 1956. Under the Scheme, interest bearing loans to the extent of 80% of the cost of the project, subject to a maximum of Rs. 3,000 per house in North-East India and Rs. 2,400 in South India were made available to the employers.

26.7. The Plantations Labour Housing Scheme was included in the Plan in the Year 1956. From its inception, the total expenditure up to June, 1966, amounted to Rs. 47.89 lakhs. The Plan-wise allocations, *vis-a-vis*, the actual expenditure is given below :

TABLE 15

(Rs. Lakhs)

Plan period	Plan provision	Actual expenditure
1956-61 (2nd Plan)	50.67	13.87
1961-66 (3rd Plan)	74.00	34.02
TOTAL	124.67	47.89

Source : Working group on housing for the Revised Fourth Five Year Plan.

This indicates that out of Rs. 124.67 lakh allocated in Second and Third Plan period only Rs. 47.89 lakhs or about 30% was actually utilised. The reasons for poor response were stated to be the unattractive and rigid conditions attached to the grant of loans and problem of providing security

by the employers for payment of loan as prescribed under this Scheme.

26.8. According to the information contained in the Report of the Working Group on Housing for the Revised Fourth Five Year Plan set up by the Ministry of Works, Housing & Supply, about 1,350 houses have been constructed under this Scheme. Further analysis of this figure shows that during the 5½ years (from 31-12-1962 to 30-6-1968), about 660 houses were constructed under this Scheme. It would be appropriate to mention here the evidence given before the Committee by the Ministry of Works, Housing and Supply, Government of India, wherein it was stated that the allocations made under Plantations Labour Housing Scheme were kept low on account of the lack of demand from employers for loan facility. This view point was also endorsed by the State Government of Mysore which have stated that the employers are not showing interest to take advantage of the facilities provided for implementing the Housing Scheme for Plantations Labour for the reason that they are not prepared to spend the money and take the risk of repayment of loan. The position would ease to a considerable extent if the recommendations of the Report of the Working Group on Plantations Labour Housing (Ministry of Labour & Employment), requiring relaxation of conditions of security, etc. are implemented by all State Governments.

Survey of labour conditions, 1961-62

26.9. The Survey of Labour Conditions by Labour Bureau, which went into the working and living conditions of plantations, indicated the physical progress in respect of labour housing in Tea, Coffee and Rubber plantations. According to the statistics collected during the course of survey, it was estimated that there were nearly 4.5 lakhs houses in Tea estates, 29,000 houses in Coffee plantations and 6,300 houses in Rubber estates in 1961-62. The following table gives the distribution of houses according to the nature of their construction and the type of accommodation :—

TABLE 16

Plantations	Estimated no. of houses provided (in thousands)	Percentage of houses according to nature of construction		
		Pucca	Kutchha	Others*
Tea	452.3	38.9	51.8	9.3
Coffee	29.1	92.6	6.9	0.5
Rubber	6.3	95.3	4.7	..

26.10. The Survey shows that the percentage of pucca houses was the highest (97) in South India and in other plantation areas it varied from 40 to 45%. The percentage of pucca houses in West Bengal was 35.4 and in Assam and Tripura it was 25.5. In the case of Rubber and Coffee plantations, the percentage of pucca houses was consi-

derably high as is evident from the above table.

26.11. Apart from the overall position in respect of the type of houses the Survey also shows the proportion of estates which provided housing accommodation in plantations. The table below gives the position in this regard.

*Semi-pucca or partly pucca and partly kutchha.

TABLE 17

Plantations	Estimated % of estates providing housing accommodation	Estimated % of estates providing housing accommodation to			% of estates not providing housing accommodation
		All Workers (i.e., 100%)	Majority of workers (50 to 99%)	Few Workers (Below 50%)	
Tea	98.1	48.7	46.8	4.5	1.9
Coffee	92.0	68.1	19.0	4.9	8.0
Rubber	89.0	22.8	19.1	47.1	11.0

26.12. The question of housing was discussed in detail at various tripartite conferences. It was discussed in the 10th Session of the Industrial Committee on Plantations held at New Delhi in September, 1961 wherein the employers expressed their difficulties in adhering to the annual housing target in the absence of necessary assistance by way of subsidy and development rebate, etc., from the Government. The workers, on the other hand maintained that the housing programme should be completed as prescribed under the Rules irrespective of any assistance programme that the Government may decide to extend to the employers. It was finally agreed in that session that a Working Group may be set up by the Labour Ministry to examine this question of finances and to devise ways and means to ensure speedy completion of the housing programme.

Working group on plantations labour housing

26.13. In pursuance of this decision, a Working Group on Plantations Labour Housing was set up in 1962 which submitted its Report to the Government of India in March, 1964. The Working Group attempted an assessment of the capacity of the industry, *vis-a-vis*, the statutory responsibility of the employer to construct houses for 8% of the resident labour per annum. While the working group emphasised the need for adhering to the annual target of house construction, it was recognised that the financial burden on the industry has increased considerably, since this target of 8% was laid down in 1950, on account of factors like rise in cost of construction of houses, increase in wages and imposition of additional taxation. It was also observed by the Group that some units of the plantations industry were definitely in need of financial assistance to enable them to fulfil the housing programme for the resident workers as per target. Accordingly, the group recommended in main two-fold financial relief to industry *viz.* (i) Extension of subsidised industrial housing scheme to the plantations; and (ii) that the industry should be allowed higher rate of depreciation.

26.14. The Working Group suggested that both subsidy and depreciation should be made available to any garden for a limited period of 8 to 10 years within which the change-over from sub-standard

to standard houses should be completed. It was also stressed by the Working Group that the subsidy should be made available to all plantations and for each unit of construction irrespective of the number of houses constructed.

26.15. The Industrial Committee on Plantations in its 11th Session held in New Delhi on 2nd October, 1964 had recommended that the Government should accept the recommendation of the "Working Group on Plantations Labour Housing". Consequent upon this a modified Plantations Labour Housing Scheme on the lines of Subsidised Industrial Housing Scheme was introduced with effect from 1st April, 1966.

26.16. In the course of the review of the existing housing facilities for workers, the Committee had sought for detailed information/comments from workers' organisations, planters and State Governments. The views recorded are summarised here.

Views of workers' organisation

Workers' Organisations like Estates Staff Union of South India have expressed their dissatisfaction on the inadequate implementation of provisions relating to housing. According to them, the progress of housing programme has not been appreciable either quantitatively or qualitatively even after it was made obligatory under the Act, and the rules framed thereunder. It is maintained by the workers that in many cases, they have to live with their families in houses that did not conform to specifications. The sub-standard material used for construction of such houses apart from providing little protection against hazards of climate, pose at times, problem of safety for the occupants. The general shortage of housing facility and poor standards of housing has also been reiterated by workers as also brought out by the International Labour Organisation* in one of its reports.

26.17. The employers' organisations have maintained that the housing programme is being implemented as per requirements under the statute. They have expressed their difficulty in fulfilling the target of 8 per cent construction of houses for resident workers in the absence of adequate financial resources. They have also sought for

*According to 'Plantations Workers' published by I.L.O. in 1966, considerable efforts have been made by the employers on large plantations particularly in Africa and Asia to build comfortable modern dwellings for workers in many countries employed in plantations. But the workers' employed on small and medium size plantations still live in unsatisfactory conditions. Even on the large estate, it is not un-common to find out workers' houses in compound of overcrowded family accommodation. The resulting promiscuity, does not help to improve the standard of hygiene and health of the workers.

the revision of this target in view of the fact that the stipulation was made as far back as 1950-51 under the then existing conditions. The benefits of the modified plantations labour housing scheme as recommended by the Working Group on Plantations Labour Housing are not yet available to the employers on account of delay in working out the details by the respective State Governments. It is also contended by employers that on account of the delay, Government should assess the requirements of housing programme from December 31, 1966 and 8% formula should be worked out prospectively, from that date. They feel that in view of the reasonable progress achieved by the employers in the field of construction of houses to workers with more than 50% of the requirements having been fulfilled so far, the above request for fresh assessment would not be unjustified. The employers are also of the opinion that the fund that may be allotted to each State under the modified Housing Scheme may also be too inadequate to cover the requirements of Estates by way of loan and subsidy. Unless the needy Estates are assured of the available financial assistance as and when they build labour housing, there is very little prospect of speedy completion of the housing programme.

26.18. It would be relevant to indicate that the recommendations of the Working Group were more or less reiterated by Labour Minister of Assam, during the course of Committee's tour to the State of Assam. According to him, the requirement of fund for housing amounted to about Rs. 70 crores on the basis of the old specifications of the houses. But the requirement of fund on the basis of new specifications would be of a much higher magnitude. While discussing

the *modus operandi*, he suggested that the fund should be made available by the Life Insurance Corporation and the private Banks. He further indicated that the Provident Fund accumulations should be partly allowed to be utilised for the construction of houses and the element of subsidy which has now been agreed upon, should be made available so that employers are able to avail of the maximum benefits. This would facilitate the implementation of the housing programme.

26.19. With the increased assistance envisaged under the Plantations Labour Housing Scheme, viz. provision for 25% subsidy, the programme of housing is expected to be accelerated. The position can be further improved if the availability of sufficient building material is ensured by the State Governments. The Committee urges upon the State Governments to help the planters to secure the building materials at reasonable rates.

Review of physical benefits

26.20. According to the information available in the Annual Reports on the Working of Plantations Labour Act, the number of houses constructed under the Plantations Labour Act account for about 54% of the requirements during 1966-67. In terms of absolute numbers, against the requirement of 4,45,970 houses, the houses constructed as per approved standards add up to 2,44,979. Thus about 46% of the requirement is yet to be met under the provisions of the Act in conformity with the approved standards. An idea of the State-wise position of the total requirement and the houses constructed can be had from the table given below :

TABLE 18

Sl. No.	Name of State/Union Territory	As on	No. of houses required to be provided	No. of houses actually provided according to approved standards	Col. 5 as % of Col. (4)	No. of houses to be provided	Col. 7 as % of Col. (4)
1	2	3	4	5	6	7	8
<i>Southern Region</i>							
1	Kerala	30-6-67	60,000	34,276	91	5,724	9
2	Tamil Nadu	30-6-67	34,625	28,050	82	6,575	18
3	Mysore	30-6-66	13,088	6,591	51	6,497	49
<i>North Eastern Region</i>							
4	Assam	31-12-66	2,20,786	99,106	45	1,21,680	55
5	West Bengal	31-12-66	1,16,724	56,688	49	60,036	51
6	Tripura	31-12-62	3,683	24	1	3,659	99
<i>Northern Region</i>							
7	Uttar Pradesh	30-6-66	1,069	119	11	950	89
8	Himachal Pradesh	31-12-62	159	125	79	34	21
TOTAL			4,50,134	2,44,979	54	2,05,155	46

*Source.—Annual Reports.

26.21. The replies received and the experience gained by the Committee, indicate that the provision of standard houses has fallen short of the requirements. Many State Governments like West Bengal, Assam, Tripura, Uttar Pradesh have subscribed to the above observations in their Annual Reports. In the oral evidence at Madras it was indicated by the representatives of State Government that entire housing programme in the State would be completed by 1970. In respect of Uttar Pradesh and West Bengal, the said Reports for the year 1966 reveal that the progress of housing programme was not satisfactory and there was not much improvement in the construction of new houses during 1966. Employers in Uttar Pradesh have made no efforts to provide housing. As regards Tripura, it is observed that though housing is provided free by the employers to the workers, the houses are mostly not of approved standards and specifications. As far as Bihar is concerned, it has been stated in the Report for the year 1966 that it has not been considered necessary to provide houses for them and no work has, therefore, been done in this connection. The reasons stated are that the workers employed in Plantations come from the adjacent villages and reside in their own houses.

Housing in Assam—a study

26.22. The position regarding Assam needs detailed mention in view of the fact that the programme of house-construction has almost come to a stand-still on account of the controversy about the upward revision and standards and specifications by Assam Government in February and May, 1963. Earlier to this also, Assam Government had revised standards and specifications of houses to be constructed by employers. According to the State Government the latest revision in 1963 has been necessitated with a view to (i) provide additional accommodation to relieve the over-crowding on account of the increasing number of un-employed persons living with the workers; (ii) improving standards in the light of the complaints about defective construction and incidence of accidents. The Parliamentary Committee set up to assess implementation of the provisions of Plantations Labour Act in the State of Assam had also recommended upward revisions of standards and specifications prescribed for workers' houses.

26.23. The employers have represented that the revised specifications have resulted in doubling the cost of construction. Apart from this, it has been pointed out that the specifications prescribed now by the Assam Government are not practicable because of shortage of building material like cement and other accessories required for the construction of houses. It has been further argued that the revision in the standards have thrown greater liability on the industry in respect of housing programme, as the plantations are to be engaged in wholesale re-modelling of houses built according to pre-1963 specifications. This would increase the back-log of house construction and, thereby, impede the progress of housing to a greater extent. This situation was also reviewed in detail by the Working Group on Plantations Labour Housing and, it came to the conclusion that if the 8% target is to be adhered to by the employers, the Assam Government should hold in abeyance the revised standards and specifications. The State Government, after consultations

and good deal of correspondence did not agree to this suggestion. The working group, visualising this position, had also suggested alternative avenues to help the employers in providing houses to the workers as prescribed in the Act. They are as follows :—

- (i) Assam Government should not declare houses constructed under pre-1963 standards as sub-standard calling for re-modelling of existing houses.
- (ii) The tea-gardens should have a discretion to construct kutchra or semi-pucca houses only on the revised standards (which, no doubt, would be costlier in the long run but would not entail heavy investment initially).
- (iii) Assam Government should be prepared to offer the tea gardens a subsidy over and above the form of assistance recommended by the Working Group to make up for the difference in outlay caused by revision of standards.

26.24. It can be observed from the above that the Working Group on Plantations Labour Housing recommended that the elaborate housing specifications of the Assam Government should be made more modest. In the course of Committee's tour to the State of Assam in April, 1968 and the discussions it had with the representative of the workers' organisations, it was brought to the notice of the Committee that very recently, the unions and employers had arrived at an agreement. It was, however, emphasised by the workers' representatives that though the renovation of the existing houses to a certain pattern would be acceptable to workers, there is a definite need for providing family pattern houses with more space, as the families of workers are growing in size.

26.25. The impression gathered by the Committee during the tour, the evidence tendered and the replies received lead us to conclude that the housing programme needs to be accelerated. The Committee, therefore, recommends as follows :—

- (i) In view of the reported response from the planters, adequate funds should be made available under the plantations Labour Housing Scheme, so that the employers accelerate the implementation of the Housing provisions.
- (ii) Provision of stipulated number of houses in a given year should be strictly enforced. In case, where the employers find themselves unable to fulfil this obligation for reasons beyond their control and for which they obtain the exemptions from the State Government, they should make efforts to cover the back-log of the preceding year, according to a phased programme.
- (iii) The State Governments should help the planters to secure essential building material at reasonable rates.
- (iv) The standard of houses already laid down in the Rules for housing under the Plantations Labour Act for Workers should not be subject to frequent revisions, even where such revision is neces-

situated, the houses that have already been built as per earlier specifications should be deemed to conform to specifications.

Problem of non-resident workers in plantations areas

26.26. Apart from the inadequacy of standard tenements, the built-in limitations of Section 15 of the Plantations Labour Act, restrict the obligation of employers to provide houses, only to resident labour and his family. There are many workers who prefer to be residents in the estates, provided houses are available. To deny them houses, for the reason that they are non-residents, does not appear to be fair. This was also discussed in the Industrial Committee on Plantations at its 11th Session, 1964. It had agreed *inter alia* on the amendment of the Section 15 of the Act. The Ministry accordingly is seized with the proposition of amending Section 15 of the Plantations Labour Act so as to provide that non-resident workers, wishing to reside in plantations would also be entitled to housing accommodation after six months of continuous service. With such an

amendment the problem of accommodation for large number of non-resident workers would be solved to a great extent.

26.27. On the contrary, the employers' view point is that the word 'resident' worker and his family indicate the fact that the Act casts an obligation on employers in respect of housing for those workers only who reside in the estate. The large number of non-resident labour generally come from nearby villages. Hence, there arises no need to provide houses to all workers, employed in a particular estate. It was also pointed out that financial burden would be enormous and the programme of house construction would be slowed down considerably if this category of worker is also included. Keeping in view the basic principle that housing for such workers, who may wish to reside in the estates will help in leading a better life, we feel that Section 15 of the plantations Labour Act, may be amended suitably to provide housing facility to such workers who may wish to reside in the estates but do not reside within a distance of 5 Kilometers from the periphery of an estate.



CHAPTER XXVII

(i) OTHER FACILITIES

Introduction

27.1.1. The majority of plantation workers are engaged in field operations and, therefore, exposed to the varying climatic conditions requiring different kinds of protective clothing. Before suitable provisions were made under the Plantations Labour Act, estates had been following different practices. The Labour Investigation Committee had desired that all women workers in plantations may be supplied with a piece of hessian cloth. Another suggestion made by the Committee was that the planters should supply free to the workers, a blanket and in addition a water-proof or another blanket for day time use. With a view to bringing about uniformity in this matter, the Plantations Labour Act, lays down in Section 17 that the State Governments may make rules requiring the employers to provide the workers with such number and type of umbrellas, blankets, rain-coats or other like amenities for the protection of workers from rain or cold, as may be prescribed. The rules framed by the State Governments vary depending upon local conditions and the protection to be afforded against rain or cold. The Government of Kerala called upon employers to supply a cumbli (blanket) or an umbrella or a rain-coat or a hat of the type as approved by the Chief Inspector of Plantations each year. Where the estates are situated at a height of 2,500 feet or more, the rules provide for the supply of an extra blanket. In Assam and West Bengal, rules have been recently framed for the supply of certain items for protection against inclement weather. In other States such as Mysore and Tamil Nadu, the rules do not specify the items although it is stated that every worker, who is in employment on 31st May and the staff members are also to be supplied with one rug of such quality as may be approved by the Chief Inspector of Plantations. In respect of Rubber plantation workers, they are to be supplied with one bed sheet and an umbrella each year in place of two cumblies. In Assam, employers are required to supply jhapies (Bamboo made hats), umbrellas, water-proof and aprons or blankets free of cost each year. In Bihar, where the number of plantations are very few, rules have not been enforced but the authorities concerned have directed the employers to provide umbrellas wherever it is necessary.

Findings of survey of labour conditions (1961-62)

27.1.2. The Report of the Survey of Labour Conditions in plantations observed that all the

large estates covered by the Survey have complied with the law in this regard. The practice of supply of protective clothings covered 39% of the tea estates as a whole, but the percentage of units providing this facility in the South was as high as 97. In U.P., Punjab and Himachal Pradesh it was 79, in West Bengal 28 and in Assam and Tripura 21. About 84% of the Coffee estates supplied protective clothings to their workers. In the case of Rubber plantations, as a result of an agreement reached between employers and workers, cash payment, in lieu of umbrellas or blankets, was made. In Tamil Nadu the small estates followed the practice of paying cash in lieu of cumbli. About 58% of the smaller estates were found to be following this practice and the rest supplied one blanket or an umbrella once a year. According to the Annual Report, in West Bengal 212 estates supplied water-proof aprons, 44 estates Bamboo hats whereas workers in 171 estates refused to avail of the facility. Woollen jerseys were supplied by 66 estates and umbrellas by 40 estates. The State Government have commented that there is no prescribed form for the submission of information on the issue of protective clothes to workers by the managements.

27.1.3. Opinions have been expressed by workers that they are not satisfied with the items which are being supplied. As against this, the employers have opposed the addition of any other items on the grounds that it will involve extra cost, thier use cannot be controlled and these are not essential. The Association of Planters of Tamil Nadu has stated that as there were several abuses and practical difficulties involved in the system of supply of cumblies and blankets by private merchants, the Government of Tamil Nadu have undertaken the manufacture and distribution to estates. However, according to the Association, the Government's Scheme has not succeeded so far in preventing complaints of delay. The Association was in favour of cash payment in place of supply of blankets. The Association also suggested that blankets could be supplied once in every two or three years as they could be expected to last for more than a year. The Government of Tamil Nadu have stated that on the recommendations of the Plantations Labour Advisory Committee, the Industries Department of Government agreed to undertake the supply of cumblies and blankets with a view to ensure supply of good quality of cumblies and blankets. They have also stated the supplies of field cumblies to most of the estates were completed.

(ii) STATUTORY WELFARE AMENITIES— A SUM UP

27.2.1. The foregoing review of statutory welfare amenities in plantations reveals that all the States have framed the necessary rules in respect of welfare facilities contemplated in the Act. Medical facilities and housing have received relatively more attention in the last few years. The rules relating to the provision of canteen, creche, schools and recreation have not been uniformly enforced by all the States for various reasons. The State Governments were empowered to defer the implementation of some of the provisions according to local needs. The Committee felt that

due regard should be given to local conditions or any particular situation. It is of the view that holding in abeyance of certain provisions of the Act for many years is not justified and calls for a careful review. The Government of India may undertake a review of the enforcement of the provisions of the Plantations Labour Act. The Committee, therefore, recommends that the Government of India may undertake a comprehensive review of the need for such amenities as contained in these provisions by a tripartite machinery and enforce such of the amenities as are necessary

and practical without delay. Wherever the provisions of the Act cannot be enforced as such, it may be advisable to bring into being some suitable alternative measures to meet the spirit of the provisions which have so far been held in abeyance for some reason or the other.

27.2.2. It is necessary for the purpose of evaluating the progress of implementation that the necessary data are collected in a systematic way and presented with sufficient details as an annual report. In the absence of detailed statistical information, it is difficult to frame an all-India picture in regard to the implementation of the welfare provisions. It is, therefore, suggested that the Government of India may evolve a pattern of reporting in consultation with State Governments so that necessary detailed information can be collected and presented uniformly for all the plantation States. The Committee is aware of the detailed study of labour conditions in plantations undertaken by the Labour Bureau, Simla, but the latest report available from that source is of 1961-62. The first Survey can serve as a benchmark for measuring the improvements over a

period of time. It is, therefore, suggested that such surveys may be undertaken by the Bureau at least once in five years.

Need for sociological study on labour management relations.

27.2.3. A very close relationship appears to exist between the employers and workers as a result of proximity of resident labour on the work-site in plantations. This important feature of work and employment, it is felt, should have resulted in creating a better understanding and appreciation of each others' difficulties and problems by the parties. The Committee felt that it was a subject on which a valuable study could be conducted. We, therefore feel that it would be worth-while that a Sociological Study relating to the impact of close association between the workers and management in plantations on the industrial relations and productivity, etc. may be conducted. This Study may throw considerable light on the behavioural pattern of the employers and workers in an important industry, which may be useful for other industries as well.



CHAPTER XXVIII

NON-STATUTORY WELFARE AMENITIES

28.1. So far we have been dealing only with statutory welfare amenities in the earlier chapters. The plantation workers also enjoy various types of non-statutory welfare facilities such as adult education, cultural activities etc. promoted by different agencies, namely, State Governments, Commodity Boards, employers, trade unions etc. Among the various plantation States, Assam has a net work of 15 Community Welfare Centres in the garden areas, which have supplemented the recreational and educational facilities. According to the Government of Assam, these Centres also impart training in some crafts such as carpentry, tailoring and blacksmithy. Apart from this, certain amenities are also provided through the Assam Tea Plantations Employees' Welfare Board for promoting certain welfare activities not statutorily provided by the employers. The Welfare Fund Act was passed in 1959. It is financed through amounts realised from fines and unclaimed wages, grants from States and Central Government and, through the Tea Board, sums unclaimed or forfeited in the Provident Fund account and voluntary donations. The Board is tripartite in nature and the administration of the Fund is vested in it. The range of welfare activities of this Board includes:—

- (a) Adult education and literacy drive;
- (b) community and social education centres including reading rooms and libraries;
- (c) games and sports;
- (d) excursions, tours and holiday homes;
- (e) entertainment and other forms of recreation;
- (f) home industries and subsidiary occupations for women and unemployed persons;
- (g) corporate activities of a social nature;
- (h) cost of administering the Act including the salaries and allowances of the staff appointed for the purpose of the Act; and
- (i) such other objects as would, in the opinion of the State Government, improve the standard of living and ameliorate the social conditions of employees.

Since the inception of the programme in 1961, a sum of Rs. 23.61 lakhs has been collected from unpaid accumulations from the different tea estates in Assam. The Board has opened a hospital and a holiday home at Shillong for plantation workers and their children. It runs training courses for nurses and mid-wives where eligible children of plantation labour are available. It grants stipends to workers for attending Workers' Education Programme, runs a Blind Relief Camp and also gives ex-gratia payment in cases of distress, and the help is rendered to disabled workers. Besides undertaking welfare activities, the Assam Government reports that the Board has extended financial assistance to a number of non-official organisations to the extent of Rs. 1.73 lakhs upto the end of 1967. These organisations

are engaged in welfare activities benefiting plantation workers. A grant has also been made for the purpose of constructing hostel for tea garden orphans who are provided with food and shelter and primary and vocational training. Some help has also been rendered to female tea garden workers in weaving, embroidery, knitting etc.

28.2. Apart from Assam Branch of INTUC, Cachar Chah Shramik Union, Hindustan Mazdoor Sevak Sangh and Mezenga Female Labour Welfare Training Centre have been recipients of benefits from this Board. However, the Committee was made aware of the employers view that the grant made by the Board was meagre compared to the administrative cost and the grants-in-aid to various organisations. However, the Committee holds the view that within the limited time available, the Board seems to have done some useful work.

The workers' organisations have stated that the Fund with the Board was not adequate and unless it was augmented in the course of time it would be consumed by overhead costs. Their suggestion was that the cost of administering the Fund should be borne jointly by the Government and the Tea Board. They further suggested that a cess should be levied on the industry to augment the resources of the Board. According to the State Government of Assam the reason for the slow progress has been lack of staff in the initial stages.

28.3. In West Bengal, 44 labour welfare centres are being run by the State Government for workers in industrial and plantation areas, for which separate figures are not available. The amenities provided by these centres are more or less common whether they are located in plantation area or in an industrial belt. In Uttar Pradesh, the Labour Department reports that it has set up 5 Labour Welfare Centres for recreation, adult education and vocational training and balwadies to look after the health and education of children upto the age of six years. In Kerala through two trade schools, vocational training is provided to children of Rubber and Tea plantation workers. They provide training in carpentry, blacksmithy, handloom weaving, tailoring and embroidery. Commodity Boards bear the capital expenditure and the recurring expenditure is met by the State Government. The Government of Tamil Nadu provide a training centre for tailoring at Coonoor and Auxiliary Nurse Mid-Wifery course in the Government hospitals at Ootacamund and Coimbatore. Other activities like elementary and higher education and the establishment of cooperatives and fair price shops have also received attention. In Mysore State, Labour Welfare Centres have been set up in plantation areas like Hassan, Chickmagalur and Siddapur and they also provide certain recreational facilities.

28.4. There are certain non-statutory facilities extended by employers like issue of food grains and the provision of credit facilities through Co-operative Credit Societies and the propagation of family planning measures. Foodgrains were sold at subsidised rates in 97% units through grain

shops in West Bengal and 74% in Assam and Tripura according to the Survey conducted by Labour Bureau in 1961-62. In Southern India, nearly 80% of the units having grain shop facilities sold at cost price and the rest 20% at market price. The position in the country as a whole was that articles were sold at subsidised rates in nearly 93% of the estates having grain shop facilities and in the rest they were sold either at cost or market price. These facilities were absent in Rubber and Coffee plantations. Only 2% of the Coffee estates had grain shops. The Labour Bureau did not report existence of grain shops in the Rubber estates they surveyed.

28.5. In addition to the supply of foodgrains and the setting up of cooperative stores, some of the employers have been extending distress relief and saving facilities to workers. Such relief is granted at the discretion of the management and the saving facilities have not been organised extensively.

28.6. The Committee is not aware of any welfare work undertaken by workers' organisations in plantation areas, except those referred to earlier in Assam. With better financial resources or with grants from State Governments or Commodity Boards, workers' Organisations could make considerable contribution to the welfare of the workers.

Tea board.

28.7. The Statutory Boards also provide certain grants towards meeting the cost of welfare amenities to plantation workers. Each of the Boards has provision for welfare in its respective budget. Under Section 10(2)L of the Tea Act, 1953, the Tea Board constituted a Labour Welfare Committee of the Board. This standing Labour Welfare Committee of the Board considers the payment for grants made on behalf of the workers and makes suitable allocation within the limits of budget. Some of the important directions in which such aid has been given are towards financial assistance for deserving cases in the matter of higher education, grants to hospitals and schools which provide special facilities for plantation children and encourage sports and scouting activities within the plantation districts. Some of the grants have been utilised for specialised facilities like treatment of T.B., Leprosy, Ophthalmic Surgery and X-Ray. The Board has assisted in the setting up of 47 welfare centres, and the recurring cost involved in the running of these centres is met by the State Governments. They also support welfare activities organised in plantation areas, including training facilities for gainful employment. An idea of the expenditure incurred on different welfare activities of the Tea Board from 1956-57 to 1967-68 can be had from the table given below:—

TABLE 19
(Rs. in lakhs)

	General Welfare	Educational Stipend	Total Expenditure
1	2	3	4
1956-57 . .	3.19	0.17	3.36
1957-58 . .	1.44	4.82	6.26

1	2	3	4
1958-59 . .	1.42	4.07	5.49
1959-60 . .	1.90	4.53	6.43
1960-61 . .	1.69	2.21	3.90
1961-62 . .	3.35	2.82	6.17
1962-63 . .	3.33	6.06	9.39
1963-64 . .	2.34	6.26	8.60
1964-65 . .	3.00	7.76	10.76
1965-66 . .	3.90	10.26	14.16
1966-67 . .	2.48	8.65	11.13
1967-68 . .	1.74	8.71	10.45

28.8. According to the details available for the year 1966-67, there were 114 free/concessional beds reserved for labour in 7 different hospitals. 75 persons were sent for training of nursing/midwifery and 9,714 candidates were granted educational stipends. It was suggested by the Assam Government that instead of the Tea Board administering the Welfare Fund, grants may be made to the State Government which could spend it through its own Welfare Board. It was also of the view that the amount spent was very meagre. The Welfare activities of the Tea Board do serve a useful purposes although due to paucity of funds their activities are limited in nature.

Coffee board.

28.9. The Coffee Act has a provision analogous to Section 10 of the Tea Act. The Board is assisted by three Regional Committees for the grant of educational stipends covering all the three Southern States. The Board has a scheme of grants for medical aid and another of educational stipends for children of workers in Coffee plantations. The expenditure incurred by way of grants under these two heads was in the vicinity of Rs. 1 lakh in 1967-68. The expenditure for the years 1961-62 to 1967-68 is given below:

TABLE 20
(Rs. in lakhs)

Year	Amount spent for grant of Medical Aid	Amount spent for grant of Educational Stipends	Total
1961-62 . .	0.48	0.55	1.03
1962-63 . .	1.93	0.76	2.69
1963-64 . .	1.14	0.93	2.07
1964-65 . .	1.40	1.56	2.96
1965-66 . .	1.12	0.66	1.72
1966-67 . .	0.94	0.69	1.63
1967-68 . .	0.64	0.36	1.00

The medical grant includes donation to hospitals and primary health units in the three States for

the completion or improvement of wards, improvement of facilities or equipment. The Chairman of the Coffee Board has stated that more welfare amenities can be undertaken provided more funds are made available.

Rubber board.

28.10. Under the Rubber Board Act, 1947, five Committees have been constituted, one of which is Labour Welfare Committee. According to Section 8 of the Act, as in the case of Coffee and Tea Acts, the function of the Board is to make provisions for the improvement of amenities and incentives for workers. The Rubber Board provides grants under labour welfare for capital schemes and educational stipend schemes. The capital schemes provide for grants for the construction of specialised wards for E.N.T. and T.B. and for establishing trade schools for certain

important centres. Under the educational stipend schemes, children of the employees in the registered estates are granted educational stipends. The total expenditure incurred on account of labour welfare measures under the two schemes amounted to Rs. 12.68 lakhs up to 1967-68. Of this, Rs. 10.81 lakhs is accounted for by the grant of educational stipends and Rs. 1.87 lakhs under the capital schemes. The Rubber Board has also pointed out that if more funds were available, the welfare schemes could be expanded. According to the Chairman of the Board, about Rs. 8 lakhs would be required each year for carrying out the limited grants contemplated by the Board for labour welfare. With more liberalisation of the funds, a wider range of welfare activities could be supported by the Rubber Board and the possibility of liberalising allocations may be examined by the Government of India.



CHAPTER XXIX

IMPLEMENTATION AND ENFORCEMENT INCLUDING LEGISLATION

Administration and enforcement machinery.

29.1. The Labour Commissioner of each State is in overall charge of the administration of the Plantations Labour Act in the respective States. The enforcement of the Act is the responsibility of the Labour Commissioner or is entrusted to his senior deputy. Generally, in all plantation States the enforcement agency is headed by the Chief Inspector of Plantations. Under section 4 of the Plantations Labour Act, the State Governments are empowered to appoint, by notification duly qualified persons to be Chief Inspectors of Plantations. Similarly the State may notify officers to be Inspectors of Plantations. Apart from the broad guidelines regarding the powers and functions of Inspectors, the Act specifically provides for the appointment of qualified medical practitioners to be certifying surgeons for plantations. In all the plantation States/Union Territories, enforcement staff has been appointed accordingly, except in Himachal Pradesh and Bihar where the number of plantations is limited. In States like Assam, West Bengal, Kerala, Mysore, Tamil Nadu and Union Territory of Tripura, suitable inspection machinery with a number of Plantation Inspectors has been established.

Views of workers' organisations.

29.2. The Committee tried to obtain the views of different parties about the standard of inspection and the changes that are required for their improved performance. Workers' Organisations, in general, have been critical of the inspection machinery, and they have suggested for additional

powers for inspectors. In West Bengal, the opinion was that the Inspectorate should be empowered to launch prosecution without waiting for permission from Government against employers who continue to violate the law. Another important association of workers in Assam contended that welfare work in tea plantations has yet to gather momentum and no attempts to enforce the rules have been made so far by the planters. In respect of Southern States, it was maintained that the set-up in Tamil Nadu was satisfactory while it was not so in Kerala and Mysore. It was also suggested that inspecting staff should be provided with sufficient transport, and the Inspectors should be of a higher status.

Employers' view point.

29.3. The employers maintain that the welfare provisions are being implemented under the supervision of the appropriate machinery of the State Government and that the existing arrangements are adequate. They feel that the Tripartite Advisory Boards constituted under the Act for implementation of provisions provide sufficient safeguards against default or laxity.

Over and above the full-time Inspectors of Plantations, the enforcement machinery is supplemented with the services of other Labour Officers and Labour Inspectors who are notified to be Inspectors for plantations in their respective areas. In Bihar, plantations are inspected by Factory Inspectorate. The staff position of the Inspectorate in various States is as under :—

TABLE 21

State/Union Territory	Number of Inspectors	Remarks
(1)	(2)	(3)
1. Assam	12	Labour Commissioner is working as Chief Inspector of Plantations. He is assisted by Senior Assistant Labour Commissioner both in Administration and enforcement of the Act.
2. West Bengal	5	In addition, Assistant Labour Commissioner and Labour Officers deal with complaints in some areas.
3. Mysore	4	Includes Labour Commissioner, who is notified as Chief Inspector of Plantations.
4. Tamil Nadu	6	—
5. Kerala	31	Includes 4 part-time Inspectors.
6. Uttar Pradesh	3	Joint Labour Commissioner works as Chief Inspector of Plantations.
7. Bihar	—	Plantations are inspected by Factory Inspectorate.
8. Tripura	5	
9. Himachal Pradesh	3	Includes one Wage Inspector for Kangra District.

Sources—(i) Annual Reports of the State Governments.

(ii) I.L.O. Report 3 on Labour Inspection on Plantations.

The inspection staff in column 2 of the above table includes the Chief Inspector of Plantation. The Inspectors are intended mainly for the supervision of enforcement of the Plantations Labour Act as well as other labour laws applicable to the plantations, namely, the Payment of Wages Act, Minimum Wages Act, Maternity Benefit Act and other Acts mentioned in Chapter 21. Full-time Inspectors are located in areas of sufficient concentration of plantations. In Assam, the State has been divided into five plantation zones, each in charge of one Deputy Chief Inspector of Plantations. They are assisted by a whole-time Labour Inspector of Plantations in each area. Similarly, in West Bengal, four Labour Officers have been designated as Inspectors for their respective zones. In Tamil Nadu, the Inspectorate consists of the Chief Inspector of Plantations and five Inspectors. According to information furnished by the State Government, all these Inspectors have about 42 to 60 estates each in their jurisdiction and they are required to inspect these plantations, at least, once a period of six months.

Views of state Governments.

29.4. The State Governments, in their Annual Reports and during the course of evidence tendered before the Committee, suggested that there is need for strengthening the enforcement machinery. Mysore Government highlighted the need for providing the Inspectors with transport. In Kerala and West Bengal, according to the information furnished by the State Governments, the provisions of Plantations Labour Act has not been fully implemented. The Kerala Government reiterated the need for creating a strong cadre of full-time Inspectors. Lack of proper communication facilities among the workers is also reported to be a reason for poor progress made in respect of enforcement. Workers, therefore, are not in a position to bring lapses in implementation to the notice of inspecting authorities.

29.5. From the foregoing account, it may be observed that the labour inspection machinery is inadequate and hamstrung by limitations which stand in the way of discharging its functions effectively. The issue of strengthening the inspection machinery involves examination of prescribing suitable yardstick of workload for the Inspectors. Because of the scattered nature of plantations, it may be difficult to work out a satisfactory plantations-Inspector ratio. The Committee is, however, concerned with adequate and effective implementation of the various provisions of the Act. It, therefore, suggests the strengthening and streamlining of the functions of the Inspectorate at an early date. The implementation is reported to be generally lacking among smaller estates, and in West Bengal, it was pointed out that enforcement was defective due to frequent changes of ownership and the large number of sub-marginal gardens. The Kerala Government stated that it has been observed that there is a desire to escape from the coverage of the Act, particularly among newly developed plantations. The registration of plantations has been suggested as a solution. The Committee is inclined to support this suggestion. In the 11th Session of the Industrial Committee on Plantations held on 30th October, 1964, a suggestion to amend the Act so as to make provision for compulsory registration of plantations was agreed upon. The employers' representatives, who opposed the suggestion, stated that such registration was being carried out by the respective Commodity Boards. The Committee felt that changes

in the ownership and extent of plantations should be notified and therefore recommends that plantations Labour Act should be suitably amended so as to provide for notification of changes with regard to ownership and acreage.

Penal Provision

29.6. Section 36 and 37 of the Plantations Labour Act provide penalties against default in the implementation of the provisions of the Act. They provide for stringent penalties for repeated offence. Section 36 lays down that details of punishment for contravention of any provision of the Act may lead to imprisonment for a term extending upto three months or with fines which may extend upto Rs. 500/- or with both. For repeated offence, imprisonment may extend to six months or fine upto Rs. 1,000 or with both. Experience has, however, shown that in practice there has seldom been any resort to these provisions of the Act. It is the view of this Committee that if the punishments awarded are not sufficient to be deterrent, the purpose of the penal provisions in the Act is defeated. It, therefore, felt that this purpose should always be kept in view if the penal provisions are to have any meaning. The Governments of West Bengal and Tamil Nadu suggested that instead of providing for a maximum penalty in law, a minimum penalty should be prescribed with necessary provisions for enhanced punishments for every day of continuous default. **We strongly feel that instead of providing maximum penal punishment under Sections 36 and 37 of the Act, the same be suitably amended so as to provide for maximum as well as minimum punishments under the law. In the case of continuing defaults of Factories Act we have suggested elsewhere in this Report, a minimum penalty of Rs. 500/- and a maximum of Rs. 3,000/-. The same yardstick may be applied in the case of violations of the Plantations Labour Act.**

Medical inspector.

29.7. At its 11th Session held in March, 1964, the Industrial Committee on Plantations examined the need for appointment of additional inspectors. At that session, it was agreed that the Act might be amended to give powers to the State Governments to appoint such public officers as they deemed fit, as additional inspectors. This Committee is of the view that in view of the provision of medical facilities envisaged under the Act, there would be a provision for regular medical inspectors. We, therefore, recommend that the Union Government in the Ministry of Labour, Employment & Rehabilitation should consider the appointment of medical inspectors exclusively under the Plantations Labour Act and also amend the Act for the purpose.

Tripartite advisory committees.

29.8. It appears to us that these tripartite bodies provide a forum for the discussion and understanding of the problem of each other in the matter of implementation of the Act. It might be of advantage for such bodies to meet more frequently and examine matters in great detail. We, therefore, feel that it is desirable to bring into being such advisory committees or board to look after the implementation of the provisions of the Act in each State and accordingly recommend that the State Governments may consider the setting up of Tripartite Advisory Bodies as may be found necessary to ensure proper enforcement of the various welfare provisions of the Plantations Labour Act.

CHAPTER XXX

NEED FOR ADDITIONAL WELFARE AMENITIES AND ROLE OF COMMODITY BOARDS

30.1. The issue of additional welfare amenities needs examination from two angles (i) for workers covered by the Plantations Labour Act and (ii) workers outside the purview of the Act. The problem of uncovered workers is different as there is no legal compulsion for the provision of the welfare amenities available to employees available to employees covered by the Act. In reviewing the existing facilities for those covered by the Act, various parties including State Governments, have suggested additional welfare amenities that could be provided over and above what has been laid down by statute. Some of the State Governments such as Assam, Tamil Nadu, Kerala and Union Territory of Tripura have favoured the provision of the following additional amenities in this regard :—

- (i) Electricity to workers' houses.
- (ii) Distress relief in case of extreme hardships either due to disease or any other extraneous circumstances.
- (iii) Improved medical facilities to treat complicated cases of ill-health.
- (iv) Adult education.
- (v) Comprehensive welfare scheme including
 - (a) setting up of holiday homes ;
 - (b) programme for physically handicapped ;
 - (c) effective family planning programme.

Workers, in addition to these suggestions, have added some of their own such as accident benefits, provision for old age, health resorts and sight-seeing visits. Employers, on the other hand, generally feel that the existing facilities are adequate and are being faithfully implemented as far as possible. Any addition to the existing set of amenities over and above what has been contemplated in the Act are not viewed with favour as these may cause extra burden on the employers. According to them, rationalisation of existing rules and consolidation of efforts already taken in respect of labour welfare should be given due priority before contemplating any further extension of the benefits. The above view was also shared by the Labour Minister of Government of Kerala, who in the course of discussions with the Committee expressed the view that the present enactment was sufficiently comprehensive and additional benefits should be left to be obtained through collective bargaining instead of legislation.

30.2. On the part of Commodity Boards, it is generally maintained that it would not be possible to undertake any additional welfare amenities beyond what is being done at present, for want of adequate resources. The Rubber Board, however, expressed its inclination to provide additional benefits if the Government could earmark more funds for labour welfare. The Committee felt that enhancement of the resources available to the Commodity Board might be a better alternative than creation of new set up or it may make

suitable grants to the State Governments which could administer such grants along with the Plantations Labour Act. In the light of the above and the need for providing additional welfare amenities to the plantation labour, we recommend: (i) Additional welfare amenities should be provided and administered by the respective Commodity Boards by suitable enhancement of the existing levy. (ii) in respect of additional welfare amenities to be provided over and above those contemplated under the Act, the following recommendations are made :—

- (i) Provision should be made for distress relief and payment should be made to the workers in case of extreme hardships like long illness or other extraneous circumstances such as death of the bread-earner, natural, calamity like fire, flood, etc.
- (ii) It is essential that sufficient medical and preventive welfare facilities are provided to all the plantation workers adequately. This should also include suitable arrangements to provide medical treatment for infectious, occupational and complicated diseases. It is reported that arrangements exist in this regard in Southern plantation States. It is necessary that such adequate medical amenities are made available to plantations workers in all the plantations States.
- (iii) High priority to Family Planning Programme, implementation of maternity and child health facilities already provided in the Maternity Benefit Act and assistance for provision of protective food to expectant and nursing mothers, infants and children wherever not already provided should be made.
- (iv) The conducting of sight-seeing tour should be organised for the plantations workers.
- (v) Arrangements should be made to provide better sanitary facilities to the workers in the plantation areas.
- (vi) Arrangements should be made to provide facilities for education of adult workers in the plantation areas.
- (vii) Arrangements should be made to provide a film library and mobile van so that the film shows could easily be organised in the plantation areas.
- (viii) A library and reading room facility should also be provided to the workers in plantation areas.

I was also agreed that the above recommendations would obviously have to be phased out depending upon the priority and needs of workers in different plantation States. The phased programme would be periodically reviewed, say, between 2 to 5 years. The implementation of these amenities also be reviewed at least annually by the State tripartite bodies.

CHAPTER XXXI

UNCOVERED PLANTATIONS

31.1. Plantations which are less than 10,117 hectares in extent and employing less than 30 persons are outside the purview of the Plantations Labour Act, 1951. The Tea industry in South India comprises 8,336 units in 1967, of which 7,940 are below the size which would not have attracted the Plantations Labour Act. There were 41,276 registered Coffee estates in the country but because of the lower employment rate per hectare

under this crop, 40,436 units are outside the scope of the Act. There are 93,385 units in Rubber estates of which labour in 93,077 units are not covered by the Act. As against the total number of units under all the three crops, the acreage of holdings in each, which fall outside the purview of the Plantations Labour Act, is much smaller than the number suggests, as the following table shows :

TABLE 22

Crop	Total area in hectare	Total number of units	Outside the scope of the Act		Column (5) as % of Column (2)
			No. of Units	Area Hectare	
(1)	(2)	(3)	(4)	(5)	(6)
(a) Tea (Year 1967)	75,020	8,336	7,940	8,731	11.6
(b) Coffee (Year 64/65)	129,992	41,276	40,436	68,280	52.5
(c) Rubber (Year 67/68)	181,592	93,385	93,077	127,157	70.0

Since a large proportion of the small units are less than 5 hectares they work with self-employed labour or engage workers only seasonally. Though the number of workers outside the purview of the Act may seem small it has been impressed upon the Committee that there is a case for lowering the exemption limits so that a larger proportion of the labour employed on these smaller estates may be brought under this Welfare enactment.

31.2. The Committee also had to take into account the administrative difficulties which will arise as more of the smaller units are covered and the easier possibility of these proprietary properties being further fragmented. These units are widely scattered over the hill or submountain tracts of several States and the administrative problems that may arise are considerable. The Rege Committee had observed that the major problem is to even out labour conditions so as to bring "the standards of many smaller estates to the level of those on the more advanced".

31.3. State Governments have expressed the view that there is no reason why workers on the smaller units should be deprived of at least some of the basic amenities available under the Act. The employers have, however, objected to any further extension of the coverage of the Act, as it would, apart from the administrative difficulties, impose heavy burdens on the weaker section of the industry. On the other hand, workers' representatives demanded universal coverage throughout the plantations by group or other arrangements.

31.4. The Committee considered the different views put forward by the parties concerned and came to the conclusion that it is time to review the scope of Plantations Labour Act to cover smaller plantations. The Committee, therefore, recommends that Plantations Labour Act should be extended progressively to such plantations as are not covered under the Act to the extent administratively practicable. The question of determining the extent to which the Act should be extended to the plantations not covered under it should be left to the Government of India which might set up a special Committee to review the extension of the said Act periodically.

31.5. But, the extension of the Act cannot solve the problem immediately. It is well recognised that considerable time would elapse before the provisions of the Act, as they at present stand, could be extended to plantations admeasuring less than 10,117 hectares. It would be inequitable to deny the benefits of welfare amenities to workers employed in uncovered establishments on grounds of administrative limitations. It will be socially wrong, morally unethical and politically perhaps inexpedient. Some method has to be found to provide welfare amenities to that large mass of workers which has so far not been able to enjoy the benefits of the welfare amenities provided under the Act. The Committee has, however, no intention of minimising the financial hardship and the administrative difficulties, involved in providing facilities like housing and medical care and for the State Government to ensure the enforcement of

Source : (a) Tea Statistics 1967-68.

(b) Coffee Board.

(c) Rubber Statistics 1968.

the provision of the Act. It is, therefore, necessary that some suitable agency should be found to look after the requirements of such workers.

Agency for providing welfare amenities.

31.6. Two types of agencies exist at present. One example is provided by the Assam Tea Employees' Welfare Board, the other being the Commodity Boards. There is yet a third agency, namely, trade unions and social organisations. For any work of organised nature involving considerable administrative and financial matters, it would probably be not possible for a trade union in the context of their present position in India, or for that matter even social agencies to undertake the provision and administration of a number of welfare amenities on a continuous basis. The choice thus gets inevitably restricted to the two agencies referred to earlier i.e. either a Statutory Welfare Board or the extension of the activities of the Commodity Boards.

31.7. The idea of an independent agency or an organisation for the plantations industry was mooted in 1956 by the Plantations Enquiry Commission, which then made a comprehensive survey of the economic conditions and problems of plantation workers. The report suggested that plantations Labour Welfare Organisation might be instituted for the purpose of providing amenities like housing, hospitals, schools and creches. It also stated that such organisations should be established and controlled by the Government of India. Other institutions or employers should be used as agencies by the Government for the purpose. It was, perhaps, too early to think of such a step in 1956, the Plantations Labour Act having been enforced only in 1954.

31.8. We have given considerable thought to this question. As for the ethics of providing welfare amenities to uncovered workers there perhaps, cannot be two opinions in the matter. Neither the employers nor workers nor even the State Governments would ever suggest that a large mass of workers should continue to be outside the purview of welfare amenities, extended to their counterparts in larger establishments, as are covered by the Act. The mere size of an establishment or the strength of employment is no scientific criterion, except, perhaps on ground of administrative feasibility, of denying welfare amenities to such workers. This is notwithstanding the fact that no solution, how-so-ever laudable it may be, would admit of practical realization unless all the pros and cons of its administrative and economic viability have been gone through.

31.9. On the basis of the above approach one of the two agencies, namely, the Commodity Boards or establishment of welfare fund could be entrusted with this work. Stupendous as it is, perhaps the Commodity Boards would not like their attention to be diverted to the administration and provision of labour welfare amenities beyond the extent to which they are now called upon under their respective Acts. We have also suggested in the preceding chapter that additional welfare amenities to covered workers, limited as they are in their nature and extent, be looked after by the Commodity Boards. It could, therefore, perhaps be unsound to burden these Commodity Boards with any more duties connected with labour

welfare amenities. Welfare is only one of the functions of the Board. Their finances and time cannot therefore, be stretched further. Setting up of some sort of fund either on the lines of the existing one in Assam or on some other lines would perhaps provide the best answer for the administrative difficulties of providing welfare amenities, on a unified basis to uncovered workers. The setting up of a fund has been favoured in principle by Mysore, West Bengal, Uttar Pradesh and Bihar. In Mysore a fund already exists, *vide* the Mysore Labour Welfare Fund Act for workers including those of plantations. Yet the State Government suggested that it would be better to have a separate fund for welfare of plantation workers only. In their opinion this fund could be accepted to provide the same coverage to uncovered workers as the Plantations Labour Act does for the covered workers. It could also give some additional benefits like amenities for female education, family planning, vocational training. Such a fund should be administered through a separate tripartite agency constituted on regional basis.

31.10. The need for setting up such a fund and exploring finances for the same has also been emphasised by the Labour Minister of Assam in course of discussions with the Committee. For this purpose, we suggested a levy on bigger plantations. Though comparatively unimportant because of the limited extent of plantations, even Uttar Pradesh Government feel that this fund should cover all tea plantations where at least 15 workers are employed daily on an average. 50% financial aid should be given by the Government and the rest be shared amongst workers' and employers' organisations.

31.11. The only agency which could thus be entrusted with the task of providing welfare amenities, whether at par with those envisaged in the plantations Labour Act or to somewhat lesser extent, is a Board, tripartite in character, autonomous in functioning, with powers to raise its own financial resources. Elsewhere in this Report, we have suggested the creation of such Statutory Welfare Boards in all the States. Such Boards, already exist in Maharashtra, Gujarat, Mysore, Punjab and Haryana. Madhya Pradesh is on its way to follow suit; a Bill has already been drafted by that Government. As at present, except in the state of Mysore, the activities of these Welfare Boards are only confined largely to factory workers and their families. We have given sufficient reasons for the constitution of such Boards in each State in the appropriate Chapter. The moot point to be considered here is whether in view of that suggestion of the Committee, any separate Statutory Labour Welfare Board for plantation workers only is called for. The Committee gave a considerable thought to this problem. As at present, a vast majority of plantations, especially in Coffee and Rubber, are not covered by the Plantations Labour Act, because of lesser area and lesser number of workers than those prescribed in the Plantations Labour Act. We are of the considered opinion that the legislative formalities and administrative difficulties involved in the extension of the Plantations Labour Act to all uncovered establishments do not give any hope of the universal extension of this Act, in the foreseeable future. The only alternative, therefore, is that the Statutory Labour Welfare Boards

should take care of the needs of uncovered workers. We are not in favour of creation of any separate Welfare Boards for plantations. The purpose would be served by constituting a separate wing in the proposed Statutory Labour Welfare Boards exclusively to look after plantation workers. This is also necessary in view of the fact that the nature of employment, location and problems of plantation workers are significantly different from those employed in factory establishments which are generally not far away from the main urban settings. Even if they are away, they have a tendency to give rise to smaller satellite settlement around them which cater to the community needs to some extent. We, therefore, feel that it is necessary to establish such wings in all States having plantations.

31.12. Our task would not be complete unless we spell out the source of finance for the proposed wings. In our opinion, these could be

- (i) Grants given by the Commodity Boards for some of the welfare amenities for workers and their children, namely, education and medical facilities, may be diverted towards the Fund instead of the State Government;
- (ii) Income accruing on account of various local taxes imposed by Panchayats on plantations areas be diverted to this Board;

- (iii) As in the case of Assam Tea Employees' Welfare Fund, unclaimed wages and fines should also form part of the finances of this Board;
- (iv) The State Government's should earmark some Fund out of their Plan allocation for this Board;
- (v) Some levy be charged by way of contributions from employers and workers in uncovered estates. The rate of contributions may, however, differ between employers and workers;
- (vi) If all the above sources combined together still fall short of the financial requirements of the activities undertaken by the proposed Welfare Board, the possibility of enhancing the levy of cess under respective Commodity Enactments by a paise or two, for which there is already a provision in the said Acts, may be examined by the Central Government.

31.13. We have ventured to essay a solution of the need which had been felt all through. Varied problems stood in the way of realisation of this need. Our suggestions, we hope, would serve as a basis for the administrative acumen to give a tangible shape to the schemes that we have proposed.



CHAPTER XXXII

DEFINITION OF AGRICULTURAL LABOUR

Introduction.

32.1. Agriculture in India is more a way of life than a vocation. It is the base of our national economy. 82% of the country's total population lives in rural areas and 70% of the total working force is dependent, directly or indirectly, on agriculture.¹ The rural and agricultural workers form the single largest segment of India's labour force. Of the total 18.85 crore workers, 16.22 crores are in rural areas and about 13.43 crores are engaged in cultivation and farming either as self cultivators or as agricultural labour. The number of agricultural labour was, according to 1961 Census, 3.15 crores this accounted for 19% of the total rural working force.

32.2. This single industry contributes 40.9%² of the total national income at current prices. Compared to the contribution of agriculture towards the Indian economy and the employment that it offers to a large mass of workers not much attention has so far been paid to identify the needs of rural and

agricultural labour towards amenities. They have, for all practical purposes, been considered part and parcel of rural community as a whole.

32.3. The problem of agricultural labour, perhaps in the context of agricultural wages or seasonal or disguised unemployment among agricultural labour, first came in for a mention at the hands of the Royal Commission on Agriculture, in 1926. The Commission observed that "the labour problem is, therefore, from the agricultural point of view a simple one to lessen the pressure on land. The essential condition for relieving pressure on land is, therefore, in our opinion, mobility". Despite these observations of the Commission and the efforts made at industrialisation, the pressure of labour on land continued to increase. This is evident from the table below which shows that the ratio of agricultural workers to the total working population* of the country has almost remained stationary, at about 70%, for the last 50 years, from 1911 to 1961.

TABLE 1

Category	Census Years				
	1911	1921	1931	1951	1961
1. Total population	25.21	25.13	17.90	36.11	43.92
2. Total workers	12.13	11.77	12.06	13.94	18.85
3. Agricultural Workers					
TOTAL	8.25	8.12	7.97	9.72	13.10
(i) Agricultural labour	2.41	1.96	2.21	2.75	3.15
(ii) Cultivators	5.84	6.16	5.76	6.97	9.95
4. Total Agricultural workers as percentage of total workers	68.04	69.00	66.12	69.75	69.48
5. Agricultural labour as % of total workers	19.84	16.69	18.33	11.72	16.70
6. Agricultural labour as % of Agricultural workers	29.15	24.18	27.72	28.28	24.03

32.4. Though it would not be correct to say that no attempts were made before independence to improve the living conditions of rural India it was only after independence that concerted efforts in the matter were initiated with the launching of a massive Community Development and Rural Works Programme. The Community Projects Programme, by its very nature had to be a composite one, and it could not isolate agricultural and rural labour from the rest of the population in rural India. Yet the plight of the agricultural labour in the realm of welfare amenities could not be ignored for a long time to come. It was necessary that, at least, preliminary attempts, to gauge and survey the welfare needs of rural and agricultural

labour and their families in matters like proper housing, hygienic surroundings, medical facilities, recreational amenities and the like, were made. The first over attempt to assess the magnitude and problem of agricultural labour was made with the constitution of the Agriculturaal Labour Enquiry, in 1951. The First Enquiry was followed by another inquiry in 1956-57. The First Enquiry was conducted with a view to provide comprehensive data on essential aspects relating to conditions of agricultural labour and the second for providing broadly a comparative picture of the conditions of agricultural labour in the country as between 1950-51 and 1956-57.

1. 1961 Census.

2. White Paper (National Income Estimates) brought out by Central Statistical Organisation, 1966-67.

*Source ; Agricultural Labour in India—A Compendium of Basic Facts, prepared by Labour Bureau, Simla.

Agricultural labour in five year plan.

32.5. With the accent on economic and social planning in the country, the welfare of the weaker section of the community, including the agricultural labour, also received attention at the hands of the planners. The First Plan mainly devoted itself to suggesting ways and means for increasing the agricultural production. The Second Five Year Plan stated that economic plans should provide programmes which would benefit the weaker section of the community such as agricultural workers. It, therefore, recommended measures like formation of labour cooperatives, allotment of house-sites and the enforcement of minimum wages for agricultural labour. The Third Plan laid further emphasis on the objectives. It stated that "it is one of the primary objects of the Five Year Plans to ensure fuller opportunities for work and a better living to all sections of the rural community and, in particular, to assist agricultural labourers and the backward classes to the level of the rest".* It was also observed in the Plan document that the experience of the first two plans shows that the special schemes evolved for the upliftment of agricultural labour though useful could hardly touch the fringe of the problem. The planners, therefore, earmarked larger funds for the development of rural areas in the Third Plan.

32.6. The first step towards identification of the problems of agricultural labour including welfare problems was taken in August, 1965 when an all-India Seminar on Agricultural Labour was organised by the Central Government. The Seminar adopted, *inter alia*, a number of recommendations relating to welfare of agricultural labour. These were: (i) The importance of allotting housing sites for agricultural labour is emphasised, and if, by mixing this up with rural housing, delays are likely, the farmer should be treated separately as a matter of higher priority; (ii) It was also felt that granting of free-house-sites to the agricultural labour, and providing them interest free loans, if possible, or in the alternative concessional finance and cheap credit facilities for building their houses should form a separate scheme altogether; (iii) Certain welfare measures relating to drinking water, housing, medical facilities, rest-sheds, etc., as provided for under the Plantations Labour Act and other Labour Laws should be made applicable to the employers of at least big farms, employing 50 and more workers; (iv) The existing provision for granting stipends and scholarships to the children belonging to agricultural labour families was not adequate and should, therefore, be enhanced; (v) Other welfare measures for agricultural labour, could be considered after undertaking a pilot study to assess the benefits of various welfare measures already being enjoyed by the agricultural labour as part of the overall welfare programmes undertaken in the country for rural population.

Co-ordinating committee on agricultural labour.

32.7. The next step in the field was to consolidate and co-ordinate the recommendations made by the Agricultural Labour Seminar, on a National level. To achieve this, the Central Ministry of Labour, Employment and Rehabilitation established a Co-ordinating Committee on Agricultural Labour. This was an official committee with a

representative of the Department of Labour as Chairman and Officers from Planning Commission and Ministries of Food, Agriculture and Community Development and Co-operation, Works, Housing and Supply and Industrial Development and Company Law Affairs as members. This Committee took a number of important decisions which, *inter alia*, included recommendations for labour welfare measures. It was considered that welfare centres for agricultural labour could properly be set up in areas where colonization schemes for re-settlement of agricultural labour had been undertaken. A Special Committee was formed to pursue this suggestion further. The Committee also considered that the possibilities of improving the existing arrangements for grant of stipends/scholarships to children of agricultural workers should be explored in the light of the recommendations of the All India Seminar on Agricultural Labour. It decided that a list of such projects where 500 or more workers had been employed as agricultural labour should be compiled for appointing Labour Officers to look after the welfare needs of those workers. The Committee also decided that big farms be identified to find out the possibility of making applicable certain welfare measures relating to drinking water, housing, medical facilities, rest-sheds, as are provided for under the Plantations Labour Act and other Labour Laws to such farms as employ 50 or more workers. Amongst other decisions, that the Committee took, was that a detailed paper on the Rural Housing Scheme, including allotment of house sites and providing interest free loans or concessional finance for construction of houses to the agricultural labour should be prepared. It also decided that a pilot study, to assess the benefits of various welfare measures applicable to agricultural workers, should be made. The Committee also suggested that the Director General Factory Advice Service and Labour Institutes should be requested to study one or two aspects having a bearing on the safety, hygiene etc. of agricultural labour *vis-a-vis* use of pesticides and tractors etc., on the health of workers.

32.8. One of our terms of reference is "to suggest measures for introducing welfare schemes for rural labour in general with particular reference to agricultural labour". No welfare measures have so far been evolved exclusively for agricultural and rural labour. This was, therefore, entirely a new field for the Committee. We decided to have the benefit of views of all such parties as are intimately connected with agriculture either from the point of view of administration or are involved directly in the process of agricultural production. Special questionnaire was prepared for the purpose [Appendix II(c)] and sent to all Labour Commissioners and Directors of Agriculture in States and Union Territories, Krishi Pandits, Krishi Samaj, Central employers' and workers' organisations and eminent persons in the field of agriculture. The questionnaire covered almost the entire field of problem connected with agricultural and rural labour, including specific questions relating to the problem of identification of agricultural labour from the rural community as a whole, the adequacy of the existing welfare measures provided through community project schemes and improvements, if any, needed for the enforcement of these measures.

*Third Five Year Plan—p. 374.

Problem of identification.

32.9. Before any other measure relating to the introduction and administration of welfare measures, exclusively for agricultural labour, could be thought of the first and foremost problem was how to identify the agricultural and rural labour amongst the composite setting of rural population. It is a matter of common knowledge that the rural population comprises of the heterogeneous mass of persons who are agricultural and rural labour as well as holders of petty plots or cultivators of small plots on behalf of the rural owners or who augment their income by other avocations like, carpentry, black-smithy, in addition to working as agricultural labour. So it is very difficult to locate the agricultural labour as such, if one has to go strictly by the narrow considerations of occupation only, because the occupational structure in a village is overlapping in character. No straightforward formula could thus be evolved and laid down which could provide a fool-proof solution to the problem of identification. The casual nature of employment, which keeps them shifting from one farm to another, further adds to the difficulty of identification. This problem was also faced in the census operation by census enumerators.

32.10. By and large, the parties referred to in the preceding paragraphs, have favoured the criterion of income. The problem of definition also engaged the attention of the two Agricultural Labour Enquiry Committees, referred to earlier. The first Agricultural Labour Enquiry Committee (1950-51), defined agricultural labour as "all those who were engaged as hired labourers in agricultural operations for 50% or more of the total number of days worked by them during the previous year". The basis of this definition was thus the quantum of hired employment during the period of any year. The second Agricultural Labour Enquiry Committee (1956-57) adopted income as a criterion for demarcating agricultural labour families. A person was deemed to be an agricultural labour if his or her major source of income during the previous year was an agricultural wage.

32.11. In these enquiries a person was considered as an agricultural labourer if he followed anyone or more of the following agricultural operations in the capacity of a labourer on hire or on exchange, whether paid in cash, in kind or partly in cash or partly in kind :

- (a) farming including cultivation and the tillage of the soils;
- (b) dairy farming;
- (c) production, cultivation, growing and harvesting of any horticultural commodity;
- (d) raising of live stock, bees or poultry; and
- (e) any practice performed on a farm as incidental to or in conjunction with the farm operations (including any forestry or timbering operations and the preparation for market any delivery to storage or to market or to carriage for transportation to market of farm products.

32.12. The census enumerators defined agricultural labour as a person who works for wages

in cash, kind or share (such as share of produce) on another person's land (on which he did not have any right, lease or contract) only as a labourer without exercising any supervision or direction in cultivation.

32.13. The Committee had the benefit of advice from various parties, referred to in the preceding paragraphs, both for identification and definition of agricultural labour. Some of the parties have suggested that there is no need to identify agricultural labour for the purpose of organising work because this labour forms an integral part of rural community and it would not be desirable to segregate it for the purpose of welfare amenities from the general rural society. There are others who have ventured to suggest various formulae for identification and definition of agricultural labour. One of the methods commonly suggested is the formation of an association/organisation, like labour units, for this category of workers. Such associations, for operational convenience, can have further projections to function at Block, District, State and Central level. This would, in course of time, bring into being, a well established core of agricultural labour, a group which would be easily identified like the industrial labour. Another suggestion is that to start with, if only the welfare needs of pure landless labour only are met, the attention that they deserve and the problem of identification, would get simplified in course of time. This suggestion, in our view, suffers from major limitation of excluding a large number of small cultivators who may also work for wages and come within the purview of the two definitions suggested by the Agricultural Labour Enquiry Committees as agricultural labour.

32.14. Amongst the parties many have favoured that, in order to have as clearly defined and administratively convenient a programme of welfare amenities for agricultural labour as possible, it is necessary to identify such labour and to define. As for the definition, majority of the parties have favoured criterion of income adopted by the Second Agricultural Labour Enquiry Committee for more than one reasons. This definition would be more rational and scientific because it also includes small and marginal land holders who are no better than agricultural labour. The employment criterion adopted by the First Agricultural Labour Enquiry Committee, would not be accurate as it would tend to show wide fluctuations from year to year in employment pattern. Some workers who worked for more than 50% of the actual days of employment as agricultural labour in a given year might be found ineligible in any year if they had worked for less than 50% of the actual days of the succeeding year as agricultural labour. The principal means of livelihood is the wage income which alone should identify the agricultural labour. This was also supported by representatives of Ministry of Food and Agriculture, Community Development and Co-operation in the course of their evidence before the Committee. Some experts have also supported the approach adopted by the Second Agricultural Labour Enquiry Committee. We, too, are inclined to accept the above definition. We, thus recommend that agricultural labour be defined as one whose principal means of livelihood is wage income arising out of the farm labour and other allied activities.

CHAPTER XXXIII

REVIEW OF THE EXISTING WELFARE AMENITIES IN RURAL AREAS

The existing agencies.

33.1. To enable the Committee to give specific recommendations to improve the living conditions of agricultural labour, it is necessary to take stock of the progress so far made in providing welfare amenities, statutory or otherwise after Independence. Attempts have been made through legislation to regulate rent, improve security of tenure and prescription of minimum wages for agricultural workers. Besides, a radical land reform policy was brought into being, aimed at suitable redistribution of land so as to meet the twin purposes of utilization of available land by maximum number of cultivators and more intensive cultivation. Though, by and large, these measures were aimed at abolition of big land holdings and zamindaris and to rehabilitate the landless labour, they had a direct bearing on the welfare of the agricultural labour as well. The extent to which such measures have actually benefited the agricultural labour may not be easily assessable because of the reasons mentioned in the preceding chapter, the basic reason being the problem of identification. Even the definition attempted may not make agricultural labour as a group so clearly identifiable as to enable a separate study on scientific grounds to assess the quantum of welfare measures or services exclusively provided to the agricultural labour. We have, therefore, in the succeeding paragraphs, only attempted to give a broad review of the various programmes which have been directly related to the welfare of agricultural population as a whole which includes besides agriculture, share croppers, tenants etc. Besides these general programmes, separate measures have been undertaken especially for backward classes and weaker sections of the community as a whole. These measures, too, have benefited the agricultural and rural labour because a bulk of agricultural labour is drawn from the backward classes such as Scheduled Castes and Scheduled Tribes as also other weaker sections of the community.

33.2. In the field of labour legislation, the first legislation made applicable to the agricultural labour, was the Minimum Wages Act, 1948. The implementation of this Act, too, did not make much impact on resolving the problems of agricultural labour for a variety of reasons. These reasons included vastness of area, temporary, casual and seasonal nature of employment, illiteracy amongst employees, smallness of size of undertakings, absence of workers' organisations and the inadequacy of the inspecting staff. These difficulties aggravated the problem of implementation due to the seasonal nature of the industry itself. The law of demand and supply invariably operated against the effective implementation of the Minimum Wages Act particularly in the slack season.

Community development programmes and national extension services.

33.3. The first ever comprehensive National Programme launched on an extensive scale for the upliftment of the rural masses in this country, commenced on October 2, 1952. Known as

Community Development Programme, it *inter alia*, included schemes for providing drinking water supply, drainage, health and rural sanitation, education, housing, community centres, cultural and recreational programmes, youth clubs, mahila mandals etc. These programmes directly concerned welfare of rural masses. The overall Community Development Programme, however, included family planning, applied nutrition programme and settlement of landless labour as well as the rural works programme. The rural works programme supplemented the efforts through creation of employment opportunity in selected areas which suffered from acute employment or underemployment. As on January, 1, 1968, Community Development Programme spread through a network of 5265 blocks covering the whole of rural India with a population of about 40.5 crores inhabiting 5.67 lakh villages. The amount so far spent till the end of 1967-68 and the amount spent on welfare items like health and rural sanitation, general education, social education, housing, etc. are given in the table below :

TABLE 2

(Rs. Crores)

Period	Actual Expenditure	Expenditure on Social Services amenities	Percentage of the total
First Plan	46.0	10.9	23.8
Second Plan	187.1	50.0	26.6
Third Plan	267.3	62.7	23.3
1966-67	40.4	6.0	14.9
1967-68	28.8	5.0	17.6
TOTAL	569.6	134.6	23.7

Programmes for weaker sections of the community.

33.5. Community Development Programmes apart, special programmes have been undertaken for Scheduled Castes, Scheduled Tribes and backward classes for the upliftment. The 1961 census revealed that out of the total working population of about 188 million, 1/4th belonged to Scheduled Castes and Scheduled Tribes. About 18% of the total scheduled castes, living in rural areas, were working as agricultural labourers. Amongst the Scheduled Tribes agricultural labour accounted for about 11% as indicated in the table below :—

TABLE 3

RURAL

Total Category of workers and non-workers	Scheduled Tribes		Scheduled Castes	
	In crores	Percentage to total	In crores	Percentage to total
1. Total	2.91	100	5.75	100
(a) Total number of non-workers	1.25	43.02	2.99	51.87
(b) Workers	1.66	56.98	2.76	48.13
2. Agricultural labourers	0.32	11.33	1.02	17.72
3. Cultivators	1.15	39.52	1.13	19.63

33.6. The total expenditure on this Scheme during the first three plans, amounted to Rs. 211 crores. The programme included provision of educational and health facilities, housing and other schemes as also programmes aimed at economic upliftment. An idea of the planwise expenditure of the welfare component of the same can be seen from the table below :—

TABLE 4

Period	Total Expenditure	Welfare component* of the total expenditure	Column 3 as percentage of column 2
1	2	3	4
First Plan	26.9	14.6	54
Second Plan	70.4	41.6	59
Third Plan	103.3	53.4	51

33.7. At the Central level, the Department of Social Welfare provides grants for implementing these schemes to the State Governments as well as to certain voluntary bodies which undertake execution of welfare schemes for Scheduled Castes and Scheduled Tribes. According to the information given to the Committee by the Scheduled Castes and Scheduled Tribes Commissioner, a sum of about Rs. 200 crores was spent on various welfare programmes for the Welfare of Scheduled Castes and Scheduled Tribes during the first three plans. It is, however, very difficult to identify or isolate the expenditure that might have taken place on the provision of welfare amenities exclusively provided to rural and agricultural labour. There is no published data available on the subject and no attempt seems to have been made so far by any agency to treat agricultural labour as a separate identifiable group for purposes of computing the quantum or for determining the quality of the welfare services provided exclusively to agricultural labour.

Central and state social welfare boards.

33.8. These Bodies have also been undertaking programmes aimed at providing some welfare services to those sections of the community which needed special care and protection. Though no distinction is made between different sections of Community at large, it could be stated that the schemes of these bodies have been benefiting, though indirectly, the women and children of agricultural labour also. These Boards generally function by giving grants and assistance to voluntary bodies and a few programmes which they themselves undertake. The First Plan, provided only a sum of Rs. 4 crores for the welfare programmes of women and children and for grants to voluntary bodies; this was exclusive of the outlay which the Central Social Welfare Board had provided for at that time. In the Second Plan, however, a sum of Rs. 19 crores was provided though only Rs. 14 crores was actual-

ly spent on social welfare programmes. The Third Plan provided for a total outlay of Rs. 31 crores but actual expenditure over the Plan period amounted to Rs. 19 crores only. The activities of the Welfare Boards are not confined to urban areas only; it is extended to rural areas also. It can, therefore, be taken for granted that the benefits of their programmes, though cannot be measured, would have definitely reached the agricultural and rural labour and their families.

Rural man power programme.

33.9. In so far as agricultural and rural labour is concerned, some of the programmes aimed at ameliorating the lot of those workers need to be considered as welfare measures though in the case of industrial workers such measures may not be directly falling within the ambit of welfare amenities. The Rural Man Power Programme is one such measure which has been brought into being for providing employment opportunities to rural and agricultural labour in off seasons. It is a matter of common knowledge that rural and agricultural labour not only suffers from the lack of welfare amenities in the accepted sense of the term but also suffers from interruptions in continuity of work. The need to provide work in off seasons to rural and agricultural labour cannot, therefore, be ignored. The expenditure incurred in Third Plan on this programme, amounted to Rs. 19.3 crores. During 1966-67 and 1967-68, Rs. 6.8 and Rs. 5.5 crores respectively were incurred on these programmes. These measures have helped in the creation of an infra-structure for the development of agriculture.

Rural housing.

33.10. In the preceding paragraphs is contained an account of the various existing agencies which provide welfare amenities in one shape or the other in rural areas. In addition to these agencies, specific welfare programmes have also been launched for rural population. Rural housing is one of the important welfare amenities. The Rural Housing Programme was considered to be more or less the responsibility of State Governments. In the Second Plan, however, it was felt that the Programme would not catch up unless Central assistance was given to States in the matter. A village Housing Project Scheme was accordingly formulated in August 1957 as a Centrally sponsored Scheme. The Scheme did not make any headway till it underwent a change during the Third Plan period when it was classified as a Centrally Aided Scheme. This change gave a set back to the progress of rural housing because the State Governments had to adjust the priority of rural housing vis-a-vis various other social programmes that they had to undertake within the overall ceiling of their respective plans.

33.11. In the First Plan, State Governments were required to build model houses in selected areas and provide assistance to villagers to build better types of houses within their means. The review of the First Five Year Plan revealed a very gloomy picture. The Rural Housing Programme had practically made no progress at all except in areas which were covered by the National Extension

*Includes expenditure on schemes relating to education, health, housing and Water Supply.

Service and Community Projects; there too the action was initiated only partly. All over the country only 29,000 houses were constructed and an equal number reconditioned. A sum of Rs. 19.53 crores was provided for a decade from 1957-58 to 1967-68. But the actual expenditure incurred during the period was less than 50% of the outlay. Only 36,800 houses were built with a total expenditure of Rs. 9.28 crores. The Third Plan had set a target of construction of 79,000 houses. As against this only 25,200 houses have been constructed. This shortfall came in for a good deal of criticism at the hands of the Estimates Committee (of the Parliament) in December, 1966. As a result, the Working Group on Housing set up by the Central Ministry of Works, Housing and Supply, Government of India, appointed a Study Group to suggest ways and means for accelerating the Rural Housing Programme. The suggestions given by this Study Group are as follows :—

- (i) The State Governments should be called upon to concentrate their resources in ensuring that incomplete houses are completed expeditiously.
- (ii) The Rural Housing Programme should be continued in a simplified form only in specified areas or region having supplementary or supporting programmes.
- (iii) The housing programme in rural areas should take the shape of intensified pilot projects which would make a considerable mark on the areas in which it is implemented. As such, the Government of India should formulate an appropriate scheme in consultation with the State Governments.

Provision of house sites for landless Agricultural Workers.

33.12. The Rural Housing Programme also introduced a scheme for providing house sites to landless agricultural workers. In September, 1962, the Scheme contemplated development and allotment of house sites to landless agricultural labour by the end of December, 1966. The Scheme had made some headway only in Gujarat, Kerala, Mysore and Bihar. The slow progress of this Scheme was also studied by the Estimates Committee of the Fourth Lok Sabha in 1967-68. The Government of Tamil Nadu has introduced a scheme of provision of house sites free of cost to landless farmers and this has made fairly good progress. The Estimates Committee has recommended that this programme should be implemented as a separate scheme instead of allowing it to remain as a part of the Rural Housing Programme. This was also reiterated in the conference of the Housing Ministers held in 1967.

Special programmes.

33.13. Apart from the general housing programme, schemes for giving subsidies for construction of houses were included in the First, Second and also Third Five Year Plans for the benefits of the Scheduled Castes and Scheduled Tribes population. Although no Survey has been made as to what extent this programme has actually benefited the agricultural labour, we can, however, presume that because a bulk of agricultural labour consists of members of Scheduled Castes and Scheduled Tribes, a considerable part of the benefits accruing under

this programme would have reached the agricultural labour as well.

33.14. During the First Plan a sum of Rs. 61.2 lakhs was earmarked for the benefit of the housing scheme for Scheduled Castes and Scheduled Tribes. This provision for housing was substantially stepped up in the Second Five Year Plan i.e., from Rs. 61 lakhs to Rs. 937 lakhs on account of the high priority assigned to this scheme. Against this, in the Third Plan the outlay both in the Centre and State sectors amounted to only Rs. 622 lakhs. The Schemes envisaged in the Central Sector were :

- (i) Housing of sweepers and scavengers.
- (ii) House sites for the Scheduled Castes persons engaged in unclean occupations.
- (iii) House sites for landless labourers among the Scheduled Castes.

33.15. The need of Rural Housing have been estimated by the Working Group on Housing set up by the Central Ministry of Works, Housing and Supply. According to the Report of this Working Group about 38 lakh households in rural areas did not have any separate dwelling units for themselves. It was also revealed that at the end of Third Five Year Plan, the backlog of rural housing had increased from 565 lakhs to 1718 lakhs. The Group worked out that the country would need funds to the tune of about Rs. 21,500 crores if the entire backlog in rural housing had to be covered up even on a modest estimated cost of Rs. 3,000 per house in rural areas.

Need for separate agency.

33.16. Housing has been considered as a basic necessity and as such various schemes have been evolved both at national level for the citizens as a whole and also exclusively for different categories of workers in the industrial sphere for Government servants and also for rural population. The fact that a separate rural housing programme had to be stressed upon and evolved is sufficient indication of the need for having separate agencies to accelerate the rural housing programme. The oral evidence tendered before the Committee and the replies received from the parties connected with rural and agricultural labour emphasised the dire need for taking urgent steps for provision of houses to agricultural labour. As a matter of fact many other amenities which are considered essential for rural population as a whole and agricultural labour in particular can be provided and administered only if steps are taken to stabilise agricultural labour and reduce the extent of migratory character of this labour.

33.17. Agricultural labour constitutes two groups of workers (i) landless and (ii) those who may have some patches of land to cultivate in addition to working as agricultural labour. The need for providing houses to the first category of labour is imperative and deserves top priority. This does not mean that the other category does not need houses. They are also by and large working as wage earners augmenting their income with salt cultivation. A section of this agricultural labour cultivates small strips of lands. Efforts should be made to convert them into viable farms—just as assignment of land is made to landless—by allotment of cultivable waste lands wherever available and out of lands becoming surplus due to enforce-

ment of ceiling on land holdings. They may also be given credit, credit facilities for sinking shallow wells. Efforts to resettle agricultural labour on land are expected to pay good dividends in the long run.

33.18. The account of rural housing given in the preceding paragraphs clearly indicates that in the general administrative set up of providing houses to rural population the programme of rural housing has suffered a considerable set-back. We, therefore, recommend that a separate agency exclusively for organising and administering rural housing programme be set up at state level, with a view to implementing the scheme on an extended scale and also to effectively spend the plan allocations under the Scheme. We feel it is essential to have this agency, if proper implementation of programme for rural housing has to be achieved. The constitution of a single separate agency would also ensure that the existing schemes which have not so far been completed or in which there is a backlog could be taken up with high priority and the agency would devote itself to finishing this unfinished task sooner than it might have otherwise been done. There is also a need to conduct a survey and locate the area where the shortage of accommodation is acute. We have already talked of inter-se priority amongst the two classes of agricultural labour. There is also similar need for an inter-se priority amongst areas depending upon the extent of the need for accommodation on those areas. The Committee, therefore, recommends that in all important areas where concentration of labour exists or is likely to develop should be identified, House sites in all such areas may be developed as advance programme for rural house building, Government may also think of constructing labour housing colonies in areas suffering from acute shortage of accommodation. The houses so constructed may be given on nominal rent.

33.19. In the preceding paragraphs we have given the estimated outlay on the national level of the total requirement of funds for rural housing which runs into astronomical figures. Our goals in economic and social planning urge us to the temptation that whatever be that magnitude of this outlay it has got to be provided by the State. We feel that within the limited resources that we have and the various development plans of different dimensions which the State had brought out to meet the aspirations of all sections of the society, there is a positive need for gradually increasing the outlay under rural housing programme with accent on 'housing' for landless labour within the limits of the available resources in the Plan.

Housing co-operative societies.

33.20. Being a well-knit compact society, rural India offers tremendous scope for organising co-operative societies to cover major walks of economic activity. The programme of providing housing sites and housing units to rural and agricultural labour offers considerable scope to co-operative societies to augment the efforts of the State and specialised rural agencies created by it for the purpose. We, therefore, recommend that attempts should be made to help in the organisation of Housing Cooperative Societies wherever feasible for agricultural and rural labour.

Medical and health facilities.

33.21. The provision of health services in rural areas was first considered in great detail by the 31-3 L&E/69

Bhore Committee in 1943. This Committee recommended the development of primary health centres to provide curative and comprehensive health services in rural areas in the country. After independence the programme of medical and health care was included as an integral part of the Community Development projects. Since the inception of this programme considerable investment has been made for the provision of primary health centres, equipped with essential staff. By the end of 1967-68, a sum of Rs. 48.89 crores had been incurred on health and rural sanitation programmes in the areas covered by the Community Blocks. This expenditure accounted for about 8.6% of the total expenditure on the Community Development Blocks.

33.22. The Centres for imparting health and medical care facilities in villages had, therefore, to be so organised as to provide an integrated health care and medical programme for the rural population including agricultural labour. The functions of a primary health centre are (i) medical relief, (ii) control of communicable diseases, (iii) family planning, (iv) maternity and child health care, (v) school health, (vi) health education, (vii) environmental sanitation and (viii) verifications of vital statistics. These services are supplemented by National Mass Programmes like Malaria Eradication, Small-Pox Eradication, Tuberculosis, Leprosy, Venereal diseases, Applied nutrition and family planning programme.

33.23. We have taken cognizance of the fact that till the end of March 1968, 4946 such primary centres had been established all over rural India with 21,539 Sub-Centres and a number of dispensaries properly equipped with medical and paramedical staff. In order, however, to ensure that the amenities provided through these primary health centres are effectively taken advantage of, it is necessary to change the outlook of the rural population in general and the agricultural and rural labour in particular towards preventive aspects of medical and health care. We, therefore, feel that health education in rural areas should be given high priority by Panchayats and other social groups.

33.24. A review of the existing set up of the primary health centres shows that each health centre, which caters to about 80,000 population, has a medical officer, a compounder, a sanitary inspector, a public health visitor and auxiliary-nurse, midwife etc. The Sub-Centre has paramedical staff only. The medical and health care programme has, therefore, been concentrated around the modern system of medicine only. It is reported that these primary health centres and sub-centres are not suitably staffed because of general indifference of the medical staff to serve in rural areas. This aggravates the problem of general shortage of the availability of allopathic doctors in the country. Various types of incentives and compulsions, which have been brought to bear on new medical graduates and serving doctors, have not yielded the desired results. The resistance to go to rural areas is due to a variety of reasons like inadequate personal comforts, lack of communication facilities, lack of opportunities for professional advancement etc. While every effort should be made to provide more incentives to the medical personnel to work in rural areas, steps may also be taken to introduce Unani, Aurvedic, Sidha and Homoeopathic systems of medicines in the rural areas. Some of these systems especially the Unani,

Aurvedic and Sidha already have deep-roots amongst rural population. It should not, therefore, be difficult to popularise these systems amongst the agricultural labour and also establish them on scientific basis. We, therefore, recommend that measures may be taken to augment existing medical facilities in the rural areas by providing medical services through Unani, Aurvedic, Siddha Homeopathic systems of medicines for primary centres.

33.25. Elsewhere in this Report, we have dealt in great detail the preventive and curative values of nature cure and yoga system of treatment. The rural and agricultural labour are likely to be more receptive to these treatments because they can be made available locally and at a low cost. We are, therefore, inclined to feel that it will be very useful to integrate nature cure and Yoga also with the medical and health programme of the primary health centres in the rural areas. This would also help to some extent in developing the sense of self-discipline amongst the rural and agricultural labour. The Ministry of Health, Family Planning and Urban Development in the Centre may include them as a part of their health programme. The Draft Fourth Five Year Plan seeks to strengthen the base of the primary health services in the rural areas. The work to be done is, however, stupendous. This would require co-ordinated efforts on the part of all such agencies as are engaged in the administration of these primary health centres and the guidance given to them from time to time. The idea of an integrated approach both for the preventive and curative aspects of medical and health care through modern as well as other systems of medicines has also been supported by the Central Ministry of Health and Family Planning in the course of its evidence before the Committee. We learn that the Government too is keen on having a comprehensive scheme of incentives with a view to attracting more and better personnel to rural areas. We have noted that with an all-out effort to get them to the rural areas and with the integration of modern and indigenous systems of medicines on curative side and Yoga and Nature Cure on the preventive side, considerable improvement could be made to the services rendered to the agricultural and rural labour through the primary health centres in course of time.

Rural water supply scheme.

33.26. Amongst the existing welfare amenities at present available to rural population, is the supply of wholesome drinking water. It is a matter of great regret that even after 20 years of Independence and with emphasis on ameliorating the lot of rural population, the country has still not been able to attain the target of providing adequate supply of wholesome drinking water in all the rural areas. Prior to Independence, only the fringe of the problem had been touched. Even after Independence, an effort was only made through the Community Development Programme. It was only in the year 1953-54 that water supply scheme was taken up as a national programme with high priority.

33.27. At present, Rural Water Supply Scheme has been taken up under the following programmes :—

- (i) Community Development Programme;
- (ii) Local Development Works Programme;
- (iii) Welfare of Backward Classes Programme; and

(iv) Rural Water Supply Scheme.

The last Scheme forms part of National Water Supply and Sanitation Programme which deals with provision of piped water supply. The concerted efforts by these agencies during the three Five Year Plans have resulted in construction or renovation of 7 lakh wells in water scarcity areas. Piped supply water has been provided in about 17,000 villages so far. A sum of about Rs. 100 crores has so far been invested in providing drinking water facility, by all the agencies.

33.28. According to the assessment of the need vis-a-vis the existing arrangements made by the Ministry of Health, Family Planning and Urban Development, Government of India, about one-third of the rural population live in scarcity areas which are to be provided with wholesome drinking water on priority basis. Official estimates place the cost of providing water supply to these areas along at Rs. 717 crores. The cost of providing any pumps or wells in the rest of rural areas where water supply is inadequate, is estimated to be Rs. 15 crores. A sum of Rs. 732 crores is thus necessary to meet the shortage of portable water in the rural areas.

33.29. The information contained in the preceding paragraph highlights both the need for augmenting the resources to provide the basic welfare amenity, namely, drinking water facility and the quantum of funds needed to provide this amenity. The State, with its limited resources, cannot, in the foreseeable future, reach this target even though it may strive for it. It is, therefore, essential that this basic programme is augmented by shramdan organised on a national level through Panchayats and Zila Parishads etc. all over the country. We are glad to note that one of the laudable aims and programmes which are being organised by the Gandhi Smarak Nidhi for the Gandhi Celebrations is that each village in this country should have at least one well for wholesome drinking water. We earnestly hope that State Governments, Union Territories will come forward to give the much desired tempo and momentum to this work with the help and assistance of a large number of social organisations functioning in the country.

Educational facilities.

33.30. The Ministry of Community Development and Cooperation, Government of India, appointed in 1961 a Study Group with Shri Jai Prakash Narayan as its Chairman for recommending measures for the welfare of the weaker section of the village community. The recommendations of this Study Group, inter-alia, contained measures aimed at providing and strengthening the amenities for educational facilities to rural population. The Group in its report stated that "weaker sections are weak because they lack education. Equally truly might it be said that they lack education because they are weak. This is the kind of vicious circle in which millions of our backward and poor country-men find themselves". These observations of the Study Group clearly emphasize the fact that education is a potent factor which enables weaker sections of the Community to bring to the fore the very best in them and enable them to be at par with other sections of the Community. This is specially true of agricultural and rural labour as also their children because even among the rural population which is comparatively backward,

agricultural and rural labour form the weakest link in that society, most of them coming from scheduled castes and scheduled tribes. The trend of thinking of Study Group has also been corroborated by the findings of a Study conducted by the Research Council for Cultural Studies, on Industrialisation and Social Change. This study divided the population into three groups, namely, (i) pre-industrial, (ii) partially industrial, and (iii) industrial. The findings of this study reveal that all the three groups of population seem to be worried about the education of their children, indebtedness, lack of security of employment and family friction.

33.31. The development efforts undertaken in the various plans have given due importance to the extension of educational facilities to rural areas through the net-work of community development projects. The Schedule Castes and Schedule Tribes Commissioner and some of the voluntary organisations like Adam Jati Sevak Sangh and Harijan Sevak Sangh have also supplemented the plan schemes in the matter. In terms of expenditure, a sum of Rs. 31.78 crores was spent by the end of 1967-68 on the education of children in rural India. A sum of Rs. 28.02 crores had also been spent till then on social education programmes. The total expenditure on both these programmes accounted for about 10.5% of the entire expenditure on Community Development. In addition to these, a sum of Rs. 37.90 crores was spent on the educational programmes for scheduled castes and scheduled tribes, who form the bulk of rural and agricultural labour.

33.32. In terms of physical targets a study* conducted by the Programme Evaluation Organisation, Government of India has revealed that number of primary schools in the rural areas had increased from 1.73 lakhs to 3.42 lakhs during 1946-61. By the end of Third Plan the number of these schools had risen to 3.92 lakhs. The impact of these institutions in the matter of providing educational facilities to rural population was surveyed by two All India Education surveys. The first Survey conducted in 1957-59 revealed that on March 31, 1957, 59.75% of the population in the rural areas had primary education in their own villages, while 83.09% of the population had this facility either in their own villages or nearby, i.e., at a walking distance of one mile except in certain areas where this distance exceeded upto 1.5 miles. The second Survey showed that the percentage of rural population provided with primary education within a walking distance of one mile rose to 94.96%. Some States were, however, still lagging behind against this All-India Percentage. Those were: Rajasthan (89.86%), Tripura (88%), Madhya Pradesh (87.88%), and Jammu and Kashmir (87.06%).

33.33. Besides primary education, attempts have also been made at providing secondary educational facilities in rural areas. The survey reveals that 62% of the rural population were enjoying this facility in 1966 either in their own habitations or within a walking distance of 5 miles. It is true that five miles walking distance is a sizeable distance for students to cover but perhaps it is difficult to overcome these handicaps mostly because of the scattered nature of villages, diversification of population and also availability of sufficient number of students in higher secondary classes. These institutions have, therefore, got to be located at

places where there is more concentration of students seeking Higher Secondary education.

33.34. Even in primary education, rural population have, in general, not shown much enthusiasm in availing of the existing benefits particularly in respect of girls. This is borne out by the enrolment data revealed through Second All India Educational Survey. Out of a total enrolment of 3.82 crores in the primary section in rural areas 1.31 crores only were girls. The girls thus accounted for 34.26% of the total enrolment at primary stage as against 43.43% in urban areas. The Survey as well as the replies received from various parties whom the Committee had asked for views also revealed that children of agricultural labour are not generally sent to schools because most of them are called upon to supplement the family income by working alongwith their parents. This is particularly true during the sowing and harvesting season. The percentage of attendance in primary schools would have, perhaps, been more if special steps had been taken to change the time-table and curriculum of schools in such a manner as to especially suit the children of the agricultural labour. Such changes should normally take into account the pressure of work arising due to seasonal operations in agriculture. The action of the parents in sending their children for wage earning is understandable because of the low family incomes. The Committee, therefore, recommends that the timings and vacations of the primary and middle schools in the rural areas may be adjusted to suit the requirements of the seasons and areas with a view to facilitating the children of agricultural labour to take advantage of the schooling facilities.

Award of scholarships.

33.35. Scholarships are important means of equalising opportunities and encouraging talent of children of weaker section of the community to go in for higher studies. The Committee has not been able to have any break up of the number of scholarships in absolute figures which might have been distributed to the children in rural areas, and in particular to children of agricultural and rural labour. We, however, infer that such scholarships as have been granted to the children of scheduled-castes and scheduled-tribes must have to a considerable extent, benefited the children of agricultural labour because most of the agricultural labour belong to such classes. The table given below would give an idea of the extent of benefit made available to the children of scheduled castes and scheduled tribes population:

Plan	Scheduled Castes		Scheduled Tribes	
	Scholarships awarded	Expenditure incurred	Scholarships awarded	Expenditure incurred
	(in thousands)	Rs. (crores)	(in thousands)	Rs. (crores)
First Plan	37.0	1.59	8.5	0.42
Second Plan	161.5	6.25	25.6	1.10
Third Plan	319.0	14.9	60.1	2.62

*Report of the Study of Impact of Plan Programmes—Vol. II : Programme Evaluation Organisation, Planning Commission.

33.36. It is true that States have spent a good deal of sum on the children of scheduled-castes and scheduled-tribes. Keeping in view the number of such people who actually stand in need of this encouragement the amount spent does not seem to be sufficient. There is a general impression that more funds should be earmarked for children of such agricultural labour as are not covered by any other scholarship schemes. According to one view, there is no justification in treating the children of agricultural labour as a privileged class than the children of the weaker section of the community as a whole. There cannot be two opinions about it. The Committee is not trying to drive home the argument that the money which could have been given to the weaker section of the community in the shape of scholarships should be diverted to the children of agricultural labour. We only try to emphasise that the need being there, greater attention should be paid for finding more finances to benefit the children of agricultural labour. We, therefore, recommend that as the agricultural labour, especially the landless class, are economically handicapped on account of the lack of regular source of income, provision should be made by the State Governments to give scholarships to the children of landless agricultural labour, whose main source of livelihood is wage income, for higher agricultural education and for agricultural biased vocations.

Adult education in rural areas.

33.37. Illiteracy has been accepted as a bane to economic and social progress. It has been accepted by the planning Commission that adult literacy will need to be made functional in character and linked up with the work and right of the people so that it serves as a pool for economic development. Realising the importance of induction of literacy into villages through various media, efforts have been made to provide libraries in rural areas. Arrangements have also been made for providing large number of books specially written for neo-literates in regional languages. By the end of March, 1968, the Community Development Programme, with a net work of 5.3 lakhs adult literacy centres, claimed to have educated 1.3 crores adults in knowing the three R's and also certain other basic matters connected with social education.

33.38. That the Community Development programme has covered a good deal of ground in the matter cannot be denied. It is also corroborated by the replies received by the Committee that considerable efforts have to be made continuously for many years of come for achieving a breakthrough in illiteracy among rural community. Special efforts have to be made to persuade agricultural labour to attend adult education classes after a long day's labour in the field. This apart, mere theoretical knowledge does not attract these labour. Their wages being low and work being of an intermittent character, they would like to have knowledge in such vocations, alongwith general education, which enables them to take to some other vocations in the slack season. They would also be interested to acquire knowledge in their own line of occupation so that their mobility and exchange value increases and they could move from employer to employer in search of better bargain. Although this is not the main aim of imparting adult education, we are inclined to feel that adult education can well be popular with agricultural labour only if vocational bias is also introduced in

the curriculum of adult education. We, therefore, recommend that rural education programme should be suitably provided to give an occupational bias with a view to enabling the workers go get equipped so that the objectives of better productivity and efficiency in the handling of the agricultural labour and allied operations could be achieved.

Evaluation of agencies and suggestions for improvement.

33.39. In the preceding paragraphs, we have reviewed the functions of various agencies that are at present operating for providing welfare amenities to rural population either as part of the Community Development Programme or independently. Collectively, these agencies should have succeeded in providing a good deal of welfare amenities to the rural population in the country. But the working of these programmes do not seem to have created an uniform impact on the entire rural mass. It is maintained that the benefits of the schemes, especially those undertaken through Community Development Programmes, have been mainly availed by the big land owners and the upper strata of rural population. The major welfare programmes like housing, protective drinking water supply, health and medical facilities, are yet to be implemented satisfactorily. It is mostly these programmes which benefit the lower strata of rural population which constitute the agricultural and rural labour.

33.40. A number of reasons could be attributed to the improper provision and administration of these amenities. The first and the foremost difficulty has already been dealt with in the first chapter. This relates to identification and definition of agricultural and rural labour. They are so intermingled with the rest of the rural population as one compact society that it is really not so easy a task as to separate them from the rural society as a whole and identify them as a class. However, even if that is attempted as we have done in the preceding chapter, the other two bottlenecks are paucity of funds and inadequacy of enforcement machinery. We would think that even within the limited resources that are being poured into rural India for providing welfare services in many cases, facilities created have also not been properly utilised even though local institutions like Panchayats have been entrusted with the administration of these amenities. In States, it is said that the Panchayats have started developing in-built limitations of lack of proper administration. A crisis of confidence seems to be developing in the functioning of these institutions. They too seem to be getting away from the main purposes for which they were constituted.

33.41. Even the concept of Community Development Programme seems to be in a state of disarray. The process of development set in by the Community Development Programme has not caught up with the expected momentum which the movement in general was required to generate. There has also been a shift on the role of officials from the State level downwards to adopt to the changing situation brought by the process of democratic decentralisation. Attainment of effective coordination amongst technical and administrative services at block level is still lacking. Unless an integrated approach is made towards economic, cultural and social problems of the rural population, it is difficult to give the desired magnitude of welfare amenities to rural and agricultural labour. Thus

the nexus between economic, cultural and social factors, has still to be established. The technical services in rural areas and the agencies controlling these services have also to be adequately strengthened and their functioning streamlined.

33.42. These problems were also discussed by the Chief Ministers and Ministers for Community Development and Panchayats in a Conference in Madras in June 1968. It was emphasized therein that attempts should be made to evolve an integrated approach towards Rural Development Programme which would include most of the welfare amenities for rural population and would thus reach rural and agricultural labour also. The Committee is in full agreement with the observations of the Chief Ministers. In fact, much of the physical targets of Community Development Programme could have been achieved earlier or could have resulted in giving better dividends if there had been an effective co-ordination both at block level and downwards not only amongst the officials administering the projects but also the population which has been receiving the benefits of these schemes. We, therefore, feel that there is a need for **toning up of the administration and the existing machinery with a view to enabling it to cope with the economic and social responsibility in extending the welfare amenities to rural and agricultural labour.**

33.43. These objectives cannot possibly be attained unless more funds are placed at the disposal of the existing agencies and at the same time trained personnel are posted to man these programmes. We, therefore, suggest that **the administrative unit at District, Block and Village Level, should be strengthened in terms of financial resources and trained personnel to enable them to play an active role in improving the welfare of rural population including agricultural and rural labour.**

33.44. So far we have talked of toning up of the existing machinery in terms of strengthening it with

trained personnel and augmenting of financial resources. We have already dwelt on the subject that diverse agencies functioning in the field of welfare would not be able to achieve the desired results unless there is co-ordination. Although, it is obvious, we would still like to stress the fact that better co-ordination should be attempted at rural level if the policy of evolving an integrated rural Development Programme is to be given a practical shape.

33.45. We have suggested that there should be an exclusive agency for rural housing. We have said so because housing in itself is very important amenity and the desired results in rural housing as in the case of Subsidised Industrial Housing Scheme etc. could be achieved only if there are separate agencies for the purpose. Even for giving necessary fillip to houses for industrial workers, we have suggested elsewhere in this Report that there should be Autonomous State Housing Boards, which would be able to take up the programme of housing at a faster pace than through the agency of Government Department.

33.46. As for other welfare amenities, we do not propose to create separate welfare agencies other than those which are already functioning. It is, however, an accepted fact that lot of efforts and energy get dissipated if effective co-ordination between different agencies functioning for the same purpose in the same area is lacking. We would, therefore, like to have an integrated set up which may, at the Village Level, co-ordinate the work of welfare amenities so that there is no overlapping between functionaries nor any imbalance in the provision of certain welfare amenities, to certain sections of people or in certain areas, to the detriment of other areas which may languish for want of these amenities due to lapses and disproportionate expending of funds.

CHAPTER XXXIV

WELFARE AMENITIES FOR AGRICULTURAL LABOUR

Introduction

34.1. It is often argued that provision of welfare amenities exclusively for agricultural and rural labour is not possible basically because the labour is migratory in character, its employment is seasonal and a clearly defined employer-employee nexus does not always exist. Even where it exists some welfare measures like provision of cheap grains or even free grains is given either as a part of wages or in addition to wages. The conditions under which agricultural labour works and lives are basically different from the conditions of work of industrial workers. There is, therefore, no necessity to lay down any minimum of welfare amenities in or akin to the manner which is applicable to factory workers.

34.2 The Agricultural Labour Seminar, held in 1965, after considerable deliberations, came to the conclusion that agricultural labour could be identified and welfare amenities, some on the lines of Plantations Labour Act and some even on the lines of Factories Act, could be extended to agricultural labour. The difficulties of administration are there but they have got to be resolved and as best and as practical an approach as possible has to be evolved. It, however, cannot be denied, and we have already accepted it in our earlier chapters, that the concept and scope of labour welfare measures in the case of agricultural labour has essentially got to differ from the conventional concept, both in terms of welfare as also in their administration, from the pattern adopted for the factory workers.

34.3 The provision of welfare measures either follows employment or is concurrent with the employment. In the case of labour covered by some legislation or the other provision of certain basic minimum welfare amenities is concurrent with the employment. A stage has now reached where, if our democratic institutions have got to be preserved, it is essential that even in the field of agriculture and rural labour, certain basic minimum welfare amenities should be provided concurrently with employment. Agricultural Industry, being seasonal in nature even provision of employment throughout the year has to be included in welfare measures for agricultural labour. We have to evolve such schemes which can stabilise the agricultural labour force, reduce its migratory character and make it an identifiable group in course of time at least in areas of concentration of such labour. The State had laid emphasis during the last fifteen years on the development of Cottage, Khadi and Village, Handloom and Handicraft Industry only to ensure continuity of employment for agricultural and rural labour. These efforts as well as the projects undertaken through the Rural Man Power Programme also did not make much dent in the problems of unemployment, under-employment or even disguised unemployment of agricultural labour.

Labour Pool

34.4. The matter attracted the attention of the Agricultural Labour Seminar which suggested formation of Labour Corps generally on the lines of

Rashtriya Vikas Dal with a view to covering certain class of people like landless workers. The idea of Labour Corps at the district level also gathered support at yet another Conference held in December 1968. The Conference decided that it would be advantageous to have this Corps at district level because it would provide an area wide enough to discover the local needs and plan productive works on a continuous basis.

34.5. The purpose of this suggestion is to have a geographically defined area which will also serve as a viable unit for the administration of various welfare measures which we propose to discuss in the succeeding paragraphs. We would like to suggest that an institution like Labour Pool be brought into being at all areas of concentration of agricultural labour. We have, in this approach, received considerable support from various quarters. It has been suggested to us that banks should be opened in rural areas where under-employed workers could go everyday and work for 4-5 hours to earn subsistence wages in the lean period of the year. Some eminent persons connected with agriculture or having first hand knowledge of agricultural labour problems, have also suggested the establishment of such Labour Pools in concentrated area at Taluka or at Tehsil level for such labour which is mainly dependent on wage income from agricultural occupation.

34.6. We do not propose to be rigid in so far as the area of Labour Pool is concerned namely whether it should be at District or Tehsil or even a Block or Sub-Block level. All that we propose to suggest is that area should be such as is administratively feasible and the administration of which can be undertaken by any of the existing administrative agencies so that no new administrative set-up has to be brought into being for this purpose. The Scheme can be worked out in various patterns. One of the patterns is on the lines of the Decasualisation Scheme prevalent amongst Dock workers. This Scheme has already been tried and proved a success. The Pool that we have in view would register all agricultural labour available for work. Agriculture Employers who are in need of such labour would place their requirements with the Pool which in turn will provide them with labour on payment. In a way this can assume the shape of a Rural Employment Exchange.

34.7. It has been stated before the Committee that though the idea of a pool or corps is laudable, it is not likely to succeed unless a regular flow of employment opportunities is provided. The pool should not, therefore, confine itself to finding out employment opportunities in the sphere of agriculture itself. It has got to widen its sphere and find out avenues for employment in capital construction activities like public works, construction of roads, tanks and other Rural Man Power Programmes. This is understandable because if the area of Labour Pool is limited only to the search of employment opportunities in the agricultural industry the purpose would be defeated. The Decasualisation Schemes in the

Docks have succeeded in regulating the flow of workers for the industry and also in providing some measure of continuity of employment to workers. Humble beginning in the field of agricultural labour can, therefore, be made through these Labour Pools in co-ordination with the other agencies operating in rural India.

Rural Man Power Programme Vis-a-Vis Labour Pool

34.8. In the preceding chapter, we have mentioned Rural Man Power Programme as one of the agencies at present operating in rural India to provide employment opportunities to agricultural and rural Labour. The Programme has so far been Centrally sponsored. We now understand that the Planning Commission has not favoured the idea of continuing this programme as a Central Scheme. They would like this to be taken up by the State Governments and integrate it with their District Development Programmes which include minor irrigation, soil conservation and development of natural resources. These areas of activities would also lead to other special programmes being taken to provide infra-structure in areas where they have not yet been developed. This will provide a programme of rural works which, with proper phasing in time and location of adequate organisation, could significantly relieve under-employment.

34.9. We feel that this Programme is so important that it will have to be continued whether as a Central Scheme or as a State Plan. Our Scheme of Labour Pool can also be easily dovetailed with the Rural Man Power Programme by the State Governments because these programmes generally envisage the creation of productive assets like minor irrigation, soil conservation, road development, development of forests, construction of tanks and culverts. We, therefore, recommend that the Labour Pools should be set up on pilot basis in some of the areas, where there is a concentration of agricultural labour, whose main livelihood is wage-income, and where the incidence of unemployment is considerably high. In the initial stages only those areas may be selected where the Rural Man power Programme have been initiated in the past. If these experiments prove a success, such pools may be set up at Tehsil, Taluka or block levels in all the States.

34.10. In order that the area of providing employment opportunities is widened, we would like to suggest that construction of buildings for schools or for medical dispensaries and the house building activities should also be included in the framework of the Rural Man Power Programme. We, therefore, recommend that the scope of the Rural Man Power Programme should be widened, with a view to including the construction of buildings for schools, medical dispensaries, and houses in the rural areas. This would enable the creation of the welfare assets of the community and would also go a long way in meeting the accepted needs of the labour in the rural areas.

34.11. We have given considerable thought to the constitution of Labour Pools and their integration with the Rural Man Power Programmes. We are convinced that once this experiment is tried, with the determination that it deserves, it will not only go a long way in filling the hiatus that had so far been haunting the area of agricul-

tural employment but may also in course of time provide a sound base to extend even such essential covers as the Group Insurance Scheme, Gratuity or Retiral Benefits. Once the employment gets stabilised, the labour force gets localised and the earnings are ensured, it would not be difficult for the authorities that run labour Pool and Rural Man Power Programmes even to deduct a portion of wages of the workers covered by this Scheme for payment of premium towards Group Insurance.

Basic Minimum Welfare Amenities

34.12. The agrarian population can no longer be considered in isolation from the rest of the population in so far as the provision of basic minimum welfare amenities is concerned. Various efforts have been made through legislation to provide humane working conditions to industrial workers in factory establishments inside the place of work. In addition, it has been considered necessary that in order to enable an industrial worker to contribute his best, both to the productive machines of which he is a part and also to his family in which he holds a vital position as a citizen of the country, there should also be another set of welfare amenities which must cater to his social, cultural and recreational needs outside his place of work. The present day industrial work force has still its roots in villages. There is, thus, a regular contact between the industrial and agricultural labour, the impact of which creates in agricultural labour an urge to have a better standard of living and to expect certain amount of basic minimum welfare amenities either from his employer or from the State.

34.13. Apart from the above the land reform legislation and other allied measures and the role of the State in developing economy, have created a considerable amount of consciousness amongst rural and agricultural labour. The main purpose of land reforms was to provide land to the landless labour as far as possible and to encourage cooperative farming. It has also endeavoured to remove as far as possible, exploitation and social injustice from the agrarian system. With the abolition of Zamindari and removal of intermediaries, there has been an awakening against bonded labour followed by a desire among labour folk to ensure a better living at least for their children, if not for themselves. This has naturally resulted in releasing an upsurge of new hopes and desires in them. Thus, the agricultural and rural labour cannot be expected to remain silent spectators of various fringe benefits and welfare amenities that are being enjoyed by their counterparts in industry. It is, therefore, essential that whatever be the administrative difficulties of identifying the agricultural and rural labour and also of administering welfare amenities for such persons we must endeavour to make a beginning to lay down a basic minimum which must be ensured to this class of labour.

34.14. We have received various views with regard to what should normally constitute the basic minimum welfare amenities for rural and agricultural workers. The parties have emphasised the fact that the plans have so far been largely concentrating on finding out ways and means to give a boosting to agricultural production. The man who works as an agricultural labour, has not received due attention for the role that he also plays in agricultural production. Being a highly

labour intensive industry, despite the mechanisation that is taking place, it is necessary that the welfare of agricultural and rural labour is given proper consideration. For, better agricultural production depends on such human factors also.

34.15. The suggestion received give a wide range of welfare amenities which could be considered as basic minimum and for which the much emphasised steps should be taken to ensure that they are provided. The important amongst these are as follows :—

- (1) Supply of drinking water facilities;
- (2) Provision of house-sites for landless labour;
- (3) Provision of rest-shelter;
- (4) Medical and health facilities including family planning;
- (5) Supply of protective clothing and other provisions to ensure safety;
- (6) Provision of free educational facilities to the children of landless labour;
- (7) Recreational facilities;
- (8) Facilities for training in farming methods and allied trades;
- (9) Fair-price shops and cooperative stores for items other than wheat and rice if those items are given to labour by employer as part of wages; and
- (10) Old-age pension.

34.16. It has also been emphasised upon us that agricultural labour being on the lowest ladder of the society amongst rural population have been suffering from social stratification in more than one ways. We should, not, therefore, confine our study to the conditions of agricultural labour and the ameliorative measures that should be provided for their upliftment in terms of physical amenities only. They must also be enabled to feel that they too are active, if not equal participants, in building the economy of the country. They must, therefore, be ensured of benefits of the existing social security schemes as are available to their counterparts in industry. The Committee must, therefore, consider as to what measures could be adopted to provide them with adequate cushion against distress arising out of prolonged illness, job accidents and various other eventualities of this type. One way could, perhaps, be to extend the provisions of the Employees' State Insurance Scheme to agricultural labour. This seems to be a far cry. As the Scheme has still to cover a large number of industrial workers, the idea of extending it to the agricultural labour cannot, therefore, at this stage, be even conceived leaving aside its phasing out. The E.S.I.C.* Review Committee has not favoured the extension of the Scheme even to plantation workers who are more organised than the agricultural labour. Some alternatives, have, therefore, got to be found for providing some amount of social security to agricultural labour.

34.17. We do not propose to minimise the difficulties that are inherent in suggesting and providing any minimum of welfare amenities to agri-

cultural labour, in view of various factors arising out of their nature and duration of employment and the involvement that the agricultural labour has in rural population as a whole. Yet, we feel a beginning has to be made. We have already emphasised that the problem cannot brook any further delay. It will be morally unjustified, politically inexpedient and socially inequitous, if even after two decades of Independence, we are not able to ensure basic minimum welfare amenities for the agricultural and rural labour. Keeping in view all the relevant factors, we do not propose that all that has been suggested to us should be included as a part and parcel of the basic minimum welfare amenities for agricultural labour. We only recommend the following :—

- (i) Supply of drinking water;
- (ii) Provision of health and medical facilities;
- (iii) Supply of protective equipment to ensure safety;
- (iv) Provision of house-sites free of cost and cheap houses on easy instalments or houses on nominal rent;
- (v) Free educational facilities for the children of landless labour; and
- (vi) Rest shelters at places of work.

These should form the base of the welfare amenities that must be provided to agricultural and rural labour in course of time according to a phased programme and with due regard to the local needs and circumstances.

Agency for Provision of Minimum Welfare Amenities

34.18. In the case of industrial labour, provision of such welfare amenities as are considered necessary for the proper performance of duties inside the workplace, legislation has made it obligatory on the employers to provide these amenities. The provision of some of those amenities is, however, based upon the number of people that an establishment employs. There is no such thing in the case of agricultural labour. Whatever is provided by the employer in the field of welfare amenities at present is on his own volition. The quantum and the mode of provision of these amenities is also governed by conventions, customs and usages which differ from place to place and which have been in existence since long. They have more or less become conventional. In most of the cases, payment of wages whether in cash or kind or in both, is considered to be the only welfare amenity that an employer provides to his worker. A farm employer-employee relationship in the case of agricultural labour seems to have come into existence only for the enforcement of Minimum Wages under the Minimum Wages Act which has been applied to agricultural labour. Beyond this, there are no provisions of welfare enforced either by the State or statutory provided by the employers.

34.19. The Committee considered in great detail as to whether it would be desirable and proper that all the basic minimum facilities that we have listed earlier, should be provided by the agricultural employers to their labour. Differ-

*Employees' State Insurance Corporation.

ent agricultural interests, including universities and experts in the field, have offered their views on the issues which are not unanimous. Some of them feel that agricultural employers themselves are exposed to vagaries of monsoons and their income goes on varying. They should, therefore, not be burdened with any responsibility for provision of any type of welfare amenities. They also argue that provision of welfare amenities follows production automatically and if an employer gets good produce, he would definitely like to part with some part of his bumper crop or the cash value that he gets in lieu thereto, for the benefit of his labour. It is traditional in agricultural employment and no specific obligations need be placed on the employer. Attention should, therefore, be paid only to ensuring better production in agriculture so that more labour can be employed and they are in a position to get work as well as welfare amenities that the employer can afford. The rest of the welfare amenities that are prevalent in case of industrial workers, should be provided to agricultural labour by the State.

34.20. There are quite a number of parties who have favoured the idea of fixing statutory responsibility for providing some of the minimum welfare facilities to the workers by employers themselves. They have, however, qualified their view by saying that provision of welfare amenities should be obligatory only on some farm owners who employ a prescribed number of workers, the range varying between 20 to 100 workers. The Government of Tamil Nadu have favoured the proposal but feel that only the employers with a garden land areas can be entrusted with the responsibility for providing welfare facilities like housing, drinking water, medical aid etc. to such workers as are continuously employed on work for major part of the year. Persons who are employed in agricultural profession for major part of the year, would not like to move out of their permanent place of work for a portion of the year which may not bring them much work and employment. They would, therefore, like to settle on or near the same farm which offer them regular opportunities for work. The employers should be able to provide amenities to such workers.

34.21. The All India Seminar on Agricultural Labour also gave some thought to this problem. The Seminar, inter alia, recommended that certain welfare measures like drinking water, housing, medical facilities, rest shelters etc. as provided under the Plantations Labour Act and other labour laws should also be made applicable to employers of at least big farms employing 50 or more workers. The response to this proposal was not encouraging from most of the States largely due to difficulties of administration, scattered area of operation and in some cases financial difficulties of employers also. In the replies received by the Committee, the consensus has, however been in favour of the above recommendation of the Agricultural Labour Seminar. Even in these replies, the problem of implementation of making any statutory obligation on employers has not been ignored.

34.22. The Committee had discussed this matter with eminent persons connected with agriculture during the course of their tours to various States. We were encouraged that a modest beginning in this regard was considered desirable and possible.

It was also made out that an agriculture employer who employs five or more labour earns a fair amount of return on his land and operates economically viable unit. It should, therefore, not be difficult for such employers to provide some of the basic welfare amenities to their workers. Some differentiation in quality and some exemptions could be given depending upon the nature and size of the farm and also other relevant considerations as is the case with Factories and Plantations Labour Act.

34.23. The experience gained by the Committee during its observation visits to agricultural farms in some States, has revealed that the number of farms employing even 10 to 15 workers on a permanent basis is not much. We, therefore, feel that if we confine our recommendations of provision of welfare amenities to only such farms as employ 10 to 15 workers, it would not cut much ice. The coverage would not be significant. We have gathered that a farm employing 3 to 5 agricultural labour on a permanent basis is viable enough to provide the basic minimum facilities like first-aid, rest shelter, supply of protective equipment including safety appliances and drinking water to its employees. The Committee, therefore, feels that a beginning in this direction has got to be made, the results of which can be reviewed after a number of years. We, therefore, recommend that a farm employing five or more agricultural labour be made statutorily responsible to provide basic minimum welfare amenities like drinking water, first-aid, rest shelters, and protective equipments including safety appliances to the agricultural labour. It is also recommended that a suitable All India Enabling Legislation should be brought into being for the purpose urgently.

Training in Changing Methods of Cultivation

34.24. Though agriculture continues to be labour intensive, beginnings have been made in various directions in the application of modern methods in agricultural production. There has been a growing use of various types of fertilisers, pesticides, poisonous chemicals and rodenticides. Power equipment and other mechanised implements are also being utilised in agricultural industry on an increasing scale, to have greater yield from land and also to increase the quality of production. In the wake of these developments, which too are necessary because on agricultural production alone depends considerably the stability of our economy, various problems connected with occupational and health hazards which were absent in agricultural industry, are now assuming importance. According to an estimate, 52,000 tractors, 1,600 power tillers, 5,50,000 electric pumps 4,00,000 oil engines and 50,000 power-operated sugar-cane crushers are being used in various agricultural operations. The total area under cultivation with the help of tractors is in the neighbourhood of about 2 million acres. An Expert Committee appointed by the Department of Heavy Engineering, Government of India has estimated that by 1970-71, 40,000 tractors would be demanded every year by agricultural industry.

34.25. The use of mechanisation is bound to increase with the fast changing pattern of cultivation and with more areas being brought under multiple cropping. The use of different type of machinery in combination with labour will, therefore, become a normal feature of agricultural occu-

pation in the near future. Considerable thought has, therefore, to be given to the proper training of agricultural labour in handling the use of these modern methods of cultivation, more so when majority of them happen to be illiterate. It is essential that if loss of valuable man power and man hours was to be avoided adequate training programmes have to be chalked out. It is, therefore, necessary that there should be a proper re-orientation and training for farm labour to handle the sophisticated machinery and chemicals which are now playing an increasing role in agricultural production.

Safety Code for Agricultural Workers

34.26. Information made available to the Committee reveals that in one district alone in the State of Punjab where use of mechanisation in agriculture has made a considerable head-way, as many as 89 workers were involved in some accidents or other in the use of power wheat thrashers in the harvest season, of 1968. Accidents occur on power wheat thrashers, chaff cutters and cane crushers. Besides training, this highlights the need for providing some built-in safety devices in the machines referred to above. There is also an urgent need for preparing films on the subject of safety and projecting them in rural areas. These will make both the farm employers as well as agricultural labour conscious of their respective needs in safety.

34.27. The agriculture industry had been suffering from inertia against any innovations for long, though perceptible change in their receptivity to new techniques have been noticed only in the recent past i.e. 10 years. The earlier position resulted in the growth of certain traditions which in their wake brought and stabilised a peculiar pattern of employer-employee relationship in the agriculture industry. It is held by some that introduction of any third agency in the established patterns and conventions of employer-employee relationship in the agriculture industry would upset the applecart of harmonious relations and understanding that has continued to exist from generation to generation between the same employer and employee. We must leave it to the goodwill of these employers to provide necessary safeguards against the increasing use of mechanised implements and chemicals. It is said that the relations are so close that the employers would not, unlike factory industry, remain ignorant of the needs of their workers for any appreciable period of time. The forces of convention should, therefore, be allowed to have a free play to seek mutual adjustments between the needs of employer and the demands of the employees for better working conditions.

34.28. The other view is equally weighty. It is said that with growing shift of population from rural to urban areas, disintegration of joint family system even in rural India, improved communication facilities and increasing accessibility of rural areas to centres of urban influence, rural labour have become conscious about their rights and duties. These winds of change indicate the need that the State must intervene to bring into being a suitable legislation to govern the working conditions of large number of agricultural labour. We are inclined to accept the second view and we recommend that under the Enabling Legisla-

tion already suggested by the Committee, the State Governments may be empowered to frame appropriate rules for detailed implementation of the provisions relating to safety on all farms using machinery and poisonous chemicals irrespective of the number of labour employed by these farms, if necessary.

Extension of Provisions of Workmen's Compensation Act

34.29. Besides evolving the comprehensive Safety Code for agricultural workers, it is necessary that they must also be compensated against injuries/disabilities, temporary or permanent that they suffer from in the course of their duties. As at present no compensation is available for loss of limbs or even for fatal accidents to agricultural workers or their families under any statute. The Safety Code is a preventive measure. It helps, reduce accidents to the extent, it is effectively implemented by the employer and faithfully followed by the worker; yet accidents continue to take place. Many parties including State Governments have urged upon the Committee that in view of increasing use of machinery in agricultural production, it is necessary that the provisions of the Workmen's Compensation Act, 1923 be extended to agriculture industry. We have already recommended an All India Enabling Legislation for provisions of Safety to agricultural workers, and for providing other minimum welfare amenities listed out earlier. We recommend that either the provision of the Workmen's Compensation Act 1923, be extended to agriculture industry or similar provision should be made in the proposed All India Enabling Legislation, so as to make it exclusively applicable to agricultural workers.

Setting up of Welfare Centres in the Rural Area

34.30. So far we have dwelt upon the welfare amenities which we think that the employers should give to the agricultural labour. The State has got to play its role in augmenting welfare amenities for the agricultural labour in the same way as amenities have been supplemented for industrial workers. It is true that an agricultural occupation does not suffer from the same hazards or does not create the same sagging effect on the body and mind of a worker as an industrial occupation does, where a worker functions as a cog in the gigantic machine within the four walls of an industrial establishment. Yet, agricultural vocations too are monotonous enough to justify the provision of sufficient healthy diversions to agricultural labour in order to enable them to bring to the fore such creative talent as they may have in them. It is, therefore, essential that some selected spots are provided and maintained for recreational amenities for agricultural workers. The vagaries of weather, the vicissitudes of fortune and stratification of status are three major burdens which make heavy inroads on the mind and body of an agricultural worker. He and his family has to be taken out of this vicious circle which surrounds him for the whole of his life. He has to be enabled to give a new look to his thinking, environmental hygiene, family planning, maternity and child care, as also enhancement in his own skill and social education for his children. This can only be done if the rural area is dotted by a number of welfare centres which can function as composite units for providing these facilities in an integrated manner.

34.31. A Co-ordinating Committee on Agricultural Labour, set up by the Central Ministry of Labour and Employment, in 1967, to follow up the recommendations of the Agricultural Labour Seminar, suggested that to begin with model welfare centres may be set up on a pilot basis. We fully support this view and suggest that location of such centres should, to begin with, be at places where there is concentration of agricultural labour and where colonization schemes for rehabilitation of such labour have already been initiated. Such a measure, in our view, would also help in the process of evolution of model villages. Wide range of amenities/services made through such welfare centres would not only contribute to the well being of rural and agricultural labour but would also help enriching the Village Community as a whole.

34.32. These welfare centres may, in the initial stages, be entrusted with the task of setting up small stores to provide agricultural implements, fertilisers and other agricultural necessities. Visits can also be paid to these centres by health supervisors to give advice to agricultural labour and their families on matters relating to preventive health, medical care and family planning. On the side of recreation, these centres can serve as hubs of a concerted programme of entertainment through radio, audio-visual measures, exhibition of films, organisation of local popular sports and popularisation of folk dances, local lyrics etc.

34.33. Such centres can also be profitably utilised to initiate economic activities like spinning of charkha, basket making, mat weaving, embroidery, tailoring etc., with a view to enabling the agricultural labour and their families to augment their meagre incomes. They can coordinate their activities

with the Khadi and Village Industries Programme and also with other agro-based industries.

34.34. It has been well said that all is best that is administered best. The pilot centres that we have essayed to suggest as a pioneering measure in the field of agricultural labour can make a major break-through in the intellectual stalemate that generally inflicts the agricultural labour and their families if they are administered by a devoted team of officials in consultation and co-operation with the beneficiaries concerned under the over all administrative control of the State Labour Department. To start with, the finances of these centres must be met from the plan funds. Once the activities at these centres gain momentum and become popular with the vast mass of rural community whose needs they are supposed to cater, their finances may not pose any problem. They can be made up from various sources. We, therefore, recommend that : (i) Labour Welfare Centre may be set up on pilot basis in the initial stages in all the States, wherever settlement schemes have been taken up or are proposed to be taken up for settlement of landless labour, (ii) the entire expenditure on such welfare centres for an initial period of five years be borne out of the Plan Funds, and subsequently, an element of subsidy and grant be continued and (iii) the settlements which have either been established or are being planned may be developed into model villages. Where all amenities like proper houses suiting the local requirements, cultural facilities including audio-visual education and film shows, educational institutions including child care centres and kindergartens or nursery schools, health and family planning, with arrangements for training of crafts, including training in the methods of agriculture, are provided.



CHAPTER XXXV

ENFORCEMENT MACHINERY

Need for Enforcement Machinery

35.1. In the preceding chapters, we have justified the need for bringing into being an All India Enabling Legislation for providing a number of welfare amenities as a statutory obligation on agricultural employers. We have suggested that this legislation should encompass certain minimum basic welfare amenities which include supply of drinking water facility, medical and health facilities including family planning, supply of protective equipments to ensure safety, provision of house sites free of cost, and cheap houses on easy instalments or houses on nominal rent, free educational facilities for the children of landless labour and rest shelters at workplaces. We have also suggested setting up of labour pools for the agricultural labour to undertake a comprehensive integrated programme of initiating series of measures which could ensure regular flow of opportunities for employment to agricultural labour even during the lean periods of agricultural seasons every year and also provide enough vocational training for agricultural workers and their families to enable them to augment their meagre income. We feel that the provisions of the Workmen's Compensation Act should also be extended to agricultural labour either independently or as a part of the proposed All India Enabling Legislation.

Existing set up

35.2. In order that these proposals are really put into shape and effectively implemented to create a perceptible impact on the working and living conditions of agricultural labour and their families, it is essential that each State/Union Territory should have an appropriate administrative set up for the purpose. The existing set up which deals with agricultural provision or agricultural labour comprises of two agencies. One of these is Revenue Collecting Agency and the other is the Labour Department which enforces the payment of minimum wages to agricultural labour under the Payment of Wages Act. The Revenue Agency seems to be too much pre-occupied with problems of land records and collections of land revenue etc. and cannot be considered an agency which can be entrusted with the task of looking after even a part of the new proposals that we have suggested. This agency could, of course, claim advantage over others in the sense that it has an intimate and deep knowledge of the methods of working and thinking of the peasantry and agricultural labour. This advantage is, however, outweighed by the age old traditions and rigid limitations within which the revenue machinery has been functioning and will perhaps continue to function, for a long time. This view has also been shared by a number of parties which have sent their replies to our questionnaire.

35.3. The second alternative is that the Department of Labour should hold the over all charge of ensuring the provision of welfare amenities suggested by us. Conventional handicaps of finance and inadequacy of staff apart, the present set up of Labour Department in State Governments is not equipped to handle the implementation of various proposals made in the preceding paragraphs, specially, those relating to the Labour Pool.

The Labour Departments with their existing complements have been finding it difficult even to implement payment of minimum wages under the Minimum Wages Act, specially during off harvest season. In their replies to the Committee almost all the State Governments have accepted the fact that even their factory Inspectorates, with traditions of inspections established over a number of years, have not been able to secure full implementation of statutory provisions relating to Factories Act, though an average Factory employer is much more literate and conscious of his responsibilities and obligations. The task in rural India is all the more difficult because enforcement staff is not only required to break a new ground, but should also be sufficiently equipped to deal with the sociological, psychological and economic problems that may arise in the wake of implementation and enforcement of our proposals. This staff should have a proper background of the agricultural employer, his affiliations with his labour and should also be able to appreciate the value of the age old traditions that have continued to bind the agricultural employer and the agricultural labour. A very heavy responsibility is thus cast on any enforcement machinery that will be required to undertake this work. The members of this machinery would not only give a secondary importance to the punitive aspect of enforcement but would have to take recourse only to persuasive methods for a long time to come.

35.4. Various schemes proposed to be undertaken by the labour pools suggested by us also necessitate the appointment of specially qualified personnel who are capable of planning and implementing those schemes by integrating them with agricultural operations and they are also able to carry both the agricultural employer and agricultural labour with their schemes. We are, therefore, convinced that there has to be specialised agency for ensuring provisions and implementation of the proposals referred to by us in the preceding paragraphs. The machinery has also to work in close liaison with the existing organisations that are operating in the field of rural India as a whole for providing various types of welfare amenities. These agencies include community development and extension services, social welfare boards and various organisations.

Views of the Parties

35.5. The difficulties of the enforcement staff are many and sometimes perhaps seemingly insurmountable. The lack of trade unionism, absence of any type or organisation amongst agricultural labour, inaccessibility of certain areas and even the safety of the enforcement staff are some of the problems which stand against the effective enforcement of any legislative measures in the rural sphere. Yet all these and many more problems that may come in the way of the enforcement of legislative measures have got to be overcome. We favour the view that an independent agency of Labour Department with adequate number of staff and officers should be organised properly to look after the enforcement of new legislative obligations for agricultural labour. The State of Mysore feel that even this may not provide

the type of agency needed for the purpose. They have suggested constitution of an independent machinery for implementing welfare schemes for agricultural labour. We do not propose to suggest any separate machinery which will inevitably have to work in coordination with the Labour Department of the State Governments. It had always been our endeavour that while suggesting new legislations in any sphere we have tried to ensure that administrative overhead costs are kept to the minimum and there is no overlapping in the functionaries in this field.

Our View

35.6. It is not possible for us to lay down precisely as to what should be the pattern of such enforcement machinery especially in the absence of any reliable data with regard to the magnitude of the work involved in the enforcement of the above legislative measures. We, therefore, leave it to the State Governments to decide as to how

best they can meet the purpose of our recommendations in the preceding paragraphs. We fully endorse the view taken by the Agricultural Labour Seminar in 1965 that if necessary, Central Government should even give financial grants to the State Governments for strengthening the implementation machinery and for laying down norms and standards for ensuring effective enforcement of statutory obligations.

35.7. We, therefore, recommend that taking into consideration different facts of the problem of implementation, enforcement machinery in the State should be suitably strengthened to extend its field of activity in the rural areas, to enforce such measures as may be introduced for the welfare of the rural and agricultural labour. A separate Rural Inspectorate Wing may be created in each State for the purpose. In the plantation estates, this work should be entrusted to Plantation Inspectors with suitable increase in staff.



CHAPTER XXXVI

FAMILY PLANNING

Growth of Population

36.1. The alarming growth of population in India during the past few decades has posed a real challenge to the economic progress of the country. In India the population which was 238.3 million in 1901 increased by only 5.4 per cent in the first few decades of this century. The increase during the following three decades was 11 per cent, 13.5 per cent and 14.1 per cent respectively. However, the decadal rate for the period 1951-60 rose to 21.5 per cent and for 1961-70 it is estimated at 25 per cent. According to population projections made by experts, India's population, assuming that there is no decline in fertility, would increase from 439 million in 1961 to 563 million by 1971 and, with moderate decline in fertility in subsequent decade, to 723 million in 1981. For this country with only 2.4 per cent of the world land area and about 1.5 per cent of the world income, but containing 14 per cent of the total world population, the high growth rate of population, poses tremendous socio-economic developmental problems, not only for maintenance of minimum standards of living but also of raising them. Already the vast developments by way of large increases in agricultural and industrial production have been neutralised by population growth. For example, the net national income (at factor cost 1948-49 prices) in 1950-51 was Rs. 88,500 million and it rose to Rs. 144,900 million in 1965-66. This was 64 per cent improvement but the per capita income over the period showed only 21 per cent increase. The manifold expansion of employment, housing, educational and other facilities has been almost entirely swallowed by the fast growing population. In view of these facts, population growth in India becomes a pivotal problem. It has been recognised as such since the early fifties when family planning programme was adopted as a national policy.

36.2. The realisation about the importance of controlling population had become manifest to India even back in early fifties. The Government of India in 1951-52 was amongst the first, and one of the very few Governments then, that officially sponsored family planning programmes. In 1953 the Planning Commission recommended that the factors controlling the rapid growth of population suitable techniques and ways in which these techniques can be disseminated should be investigated. Pilot field studies demonstrated that family planning was acceptable to a large section of people.

Family Planning and Development Plans

36.3. Keeping in view the urgency of controlling the population in the country, the Government of India has adopted a comprehensive national family planning policy as an integral part of its development plans. According to the First Five Year Plan, "the rapid increase in population and the consequent pressure on the limited resources available have brought to the forefront the urgency of problems of family planning.... All progress in this field depends first on creating a

sufficiently strong motivation in favour of family planning in the minds of people, and next on providing the necessary advice and service based on acceptable, efficient, harmless and economic methods". The First Five Year Plan made provisions for giving advice in Government hospitals and health centres on matters of family planning, for conducting field experiments on different methods and collecting information based on scientifically tested experiments in India and elsewhere towards the medical, technical and motivational aspects of family planning.

36.4. The successive Plans have placed increasing emphasis on this programme. It was mentioned in the Third Plan that "the objective of stabilising the growth of population over a reasonable period must, therefore, be at the very centre of planned development. The programme of family planning involving intensive education, provision of facilities and advice on the largest scale possible and widespread popular effort in every rural and urban community has, therefore, the greatest significance". In the Fourth Five Year Plan a very high degree of urgency to the control of population has been attached and action has been taken to achieve the objectives of reducing the birth rate to manageable proportion of 25 per thousand per annum. The guiding principles of the programme are :—

- (a) Creation of a social climate in which the need is felt by individual families and by group of people;
- (b) knowledge that a small family norm is a value to each individual permeates into every mind;
- (c) provision of readily accessible services, as part of health services especially health of mothers and children;
- (d) adoption of effective methods by all eligible couples (about 90 millions).
- (e) stimulation of social changes affecting fertility such as increasing age of marriage;
- (f) acceleration of basic economic changes so as to increase the per capita income in real term;
- (g) research with emphasis on action research and feeding back in programmes operations;
- (h) evaluation; and
- (i) programme to be people's programme with no compulsion whatsoever.

36.5. The expenditure on family planning programme has been stepped up from Rs. 1.45 million during 1951-56, Rs. 21.56 million during 1956-61, Rs. 248.60 million during 1961-66 to Rs. 769.1 million (estimated) during 1966-69.

36.6. There is a provision for opening one urban centre for every 50,000 population by Gov-

1. First Five Year Plan—page 522
2. Third Five Year Plan—page 675

ernment/voluntary organisation, and for less than 50,000 in case of local bodies for rendering family welfare planning services. Rural centres are based on Community Development Block. In addition to the main centre at the Block Headquarters level, there is provision for opening one sub-centre for every 10,000 population. By March, 1969, 5080 Rural Family Welfare Planning Centres, 19,024 rural sub-centres, 1795 urban centres, 595 mobile sterilisation units and 394 mobile I. U. C. D. Units were functioning.

Industrial labour and family planning.

36.7. The estimated population in 1969 is 532 million with annual growth rate of 2.5 per cent increasing by about 13 million annually. Due to the increasing gap between the birth rate and the death rate the population increased from 251.4 million in 1921 to 528 million in 1968. Labour forms an appreciable proportion of total population. In this context, the position of labour force as a whole, vis-a-vis, the programme of family planning assumes special importance. Between 1951 and 1961, the labour force in India increased by over 21 million. The total labour force in 1961 was over 188.68 million constituting 129.17 million males and 59.50 million females. These include workers engaged in agriculture, mining, quarrying, forestry, fishing, plantations, household and manufacturing industry, construction, trade, commerce, transport and communication, etc. During the period of Fourth Five Year Plan, the estimated net addition to labour force is likely to be 23 million. This implies correspondingly addition of workers in the reproductive age group requiring attention from the point of view of family planning. As such, the need for intensifying family planning programmes amongst workers becomes imperative. The industrial population requires special attention for improving their own health, living conditions, increasing productivity and social stability. Economic difficulties, unemployment and other problems of large families create unrest amongst labour.

36.8. The problem of agricultural and plantation labour, in particular, has to be viewed on different footing in view of their characteristics feature of employment and location. In Plantation industry female force constitutes a substantial portion of the total plantation labour; a characteristic which, with the exception of construction industry, is not found in other groups of industrial workers. By the isolated and scattered nature of plantations from the urban centres, there is an obvious need for special arrangements to reach labour in regard to publicity and propaganda.

36.9. The propagation of family planning amongst the industrial workers is a contribution towards solution of economic and health problems of workers and their families, keeping in view the importance of family planning as an essential requisite for the well-being of the workers. It has been generally agreed that the family planning should be incorporated as a welfare measure for the industrial workers. Such inclusion will focus attention on the family planning programme as a priority programme which should become an integral part of medical and health activities, especially the maternal and child health service. We are, thus, of the opinion that the **Family Planning Programme for industrial workers should be made a part and parcel of labour welfare activities by the employers. It should be included as**

an integral part of the term 'Labour Welfare' as defined in the ILO Resolution of 1947 and as modified by us. Provisions of welfare amenities for industrial workers would not be complete unless family planning for industrial workers is also given due attention.

36.10. The family planning programme for industrial workers, thus, means bringing about change in attitudes and behaviour of the industrial workers. The success of the programme will be in each family feeling the need that it is desirable for their own good to have a small sized family. This feeling should be so strong as to lead them to practice family limitation. It is, therefore, obvious that for the implementation of the programme no force, coercion or compulsion are to be used and the programme is to be implemented through a long-term education and motivation of industrial workers in regard to family planning on a sustained basis.

36.11. The importance of having a family planning programme has also been felt at the international level. The International Labour Conference at its 50th Session in Geneva in 1966 has called upon the competent bodies to work towards the inclusion of education and provide facilities for family planning in conjunction with the measures for personnel welfare in new and old industries, bearing in mind the particular needs of female labour. Attention has also been invited in the resolution of the Trade Unions and Employers Organisations to the role they can play in creating the awareness of the rapid population increase in developing countries.

36.12. Since the national family planning programme has been launched on an All India basis, it is essential that the family planning programme for industrial workers conforms, as far as possible, to the national programme. The combination of mass communication and extension education approach and the free and readily available family planning services to the people as near to their door steps as possible has led to the gradual widespread acceptance and practice of the norm of a small family, consisting of two or three children. The objective of this programme is to reduce the annual birth-rate from 41 per thousand to 23 per thousand by 1978-79. The family planning programme is sponsored by the Central Government and 96 per cent to 97 per cent assistance has been flowing from the Central Government to the States who are constitutionally responsible for its implementation. The programme permeates all sections of society and all sectors of activity including Railways, Defence, Posts and Telegraphs, Industrial Units, Mines and Plantations.

36.13. The measures adopted for the implementation of the Family Planning Programme among the industrial workers can be broadly divided into four categories, viz.

- (i) Provision for free supplies and services;
- (ii) Payment of compensation and grant of other facilities to the working class for undergoing IUCD insertions/sterilisation operations;
- (iii) Steps taken for motivation and education of the working class; and
- (iv) Evolving of various schemes suited to different organisations.

Provision of free supplies and services.

36.14. For the purpose of giving advice and rendering the necessary services a net work of Family Welfare Planning Centres, as near to the houses of workers as possible, has been established throughout the country. Cafeteria approach in regard to the choice of methods of contraception is advocated and the choice is left to the individual's decision and volition. Emphasis is, however, laid on sterilization, IUCD and Nirodh (Condom). Services are provided free in the form of IUCD insertion and sterilisation (both male and female) operation. For the users of conventional contraceptives (condoms, jellies, foam tablets etc.) the supplies are given free. Their distribution is at present being done through the various Family Welfare Planning Centres, depot holders, and commercial channels.

36.15. For each case of IUCD insertion, vasectomy and tubectomy operation, the central assistance to the extent of Rs. 11, Rs. 30 and Rs. 40 respectively is given, the tentative break-up being as follows, leaving the discretion to the implementation agencies to decide their own breakup within the expenditure ceiling:

	IUCD	Vase- ctomy	Tube- ctomy
	Rs.	Rs.	Rs.
(i) Payment to the individual (for meeting out of pocket expenses and loss of wages)	5	10	15
(ii) Payment to doctor	2	10	15
(iii) Payment to motivator	1	3	8
(iv) Drug and Dressings	3	5	2
(v) Transport	..	2	5
TOTAL	11	30	45

36.16. Industrial workers are provided monetary compensation for purposes of meeting the out-of-pocket expenses and also the expenditure on loss of wages. Besides, the following facilities are available to industrial workers in Central Government Undertakings:—

- Special casual leave not exceeding six working days for undergoing sterilization (both male and female).
- Special casual leave not exceeding fourteen working days to the females undergoing non-puerperal sterilization.
- Special casual leave of one day to the females undergoing IUCD insertions.
- Maternity benefit leave.

36.17. In respect of persons covered by the Employees' State Insurance Scheme, they are in addition to the above-mentioned facilities, entitled to the following benefits:—

- For undergoing sterilisation, an amount of Rs. 15 and Rs. 25 is paid per case of

vasectomy/tubectomy operation respectively for meeting the incidental expenses.

- An amount of Rs. 5 is paid per case of IUCD insertion to female workers which is reimburseable by Government.
- Maternity benefit at the rate of the average daily wage subject to a minimum of one rupee a day for a period of six weeks preceding and including the day of her delivery and for six weeks immediately following that day.

Steps taken for motivation and education of the working class.

36.18. Family Planning Programme is based on its voluntary acceptance by the people. It requires sustained efforts to reach the people particularly in industrial areas, and to educate and motivate the working class to adopt the norm of small family. Besides strengthening various organisational set up, the following steps have been taken in this regard:

- Extensive publicity is being resorted to through posters, bus boards, hoardings and advertisements, etc.
- All India Radio is giving increasing publicity to Family Planning through talks, discussions, plays, slogans, etc.
- Feature and documentary films on Family Planning are being produced, both by the Central and the State Governments. For industrial workers entertainment films with family planning as their theme, of the duration of one hour or so are being prepared.
- An equilateral inverted red triangle has been adopted as a national symbol of family planning for quick and easy identification of personnel and services connected with Family Planning Programme.
- Suitable awards have been proposed for best workers at the Urban/Rural Family Welfare Planning Centres catering the industrial areas.

Evolving of various schemes suited to different organisations.

36.19. Various schemes have been evolved in consultation with different organisations. In respect of some of organisations central assistance is offered while in the case of others, their cooperation is sought in other ways in the implementation of the programme. Some of the important steps taken in this direction are as follows:—

Industrial concerns covered by the E.S.I. scheme.

36.20. Persons employed in industrial undertakings covered by the Employees' State Insurance Act of 1948 are provided family planning service facilities under the E.S.I. Scheme. Employees of industrial concerns which are covered by the E.S.I. Scheme are provided the necessary advice and guidance on Family Planning by the Insurance Medical Officers. All dispensaries and hospitals under the Scheme have facilities for advice, supply of appliances and insertion of IUCDs etc. and the hospitals have facilities for sterilization operations,

In its observations regarding Family Planning Programme, the E.S.I. Review Committee has stated "Family Planning is now an accepted national objective in our country. Its immediate benefits to the insured persons are also self evident.... The scheme should pay all possible attention to family planning among the insured persons. The details of the programme should be worked out in collaboration with the family planning plans of the respective State Governments and there should be full cooperation with them so that there may be no duplication of efforts and expenditure". The Review Committee emphasised that the compensations offered by the Central or the State Governments to those undergoing operations should be available to the insured persons also. According to the Committee the dispensaries, hospitals and the doctors in the Scheme constitute a ready and extensive machinery which is in close contact with the insured persons and, therefore, eminently in a position to carry on education and propaganda among the insured persons for family planning.

36.21. Apart, grants to the extent of Rs. 1,000 per annum for free or subsidised distribution of contraceptives are made available for each of the medical and health centres of commercial organisations, manufacturers, mills, factories and tea gardens etc., irrespective of population, provided they are recommended by the A.M.O. of the State concerned. Financial assistance for the setting up of Family Welfare Planning Centre is also provided by the Central Government on merits, to commercial organisations, which give an undertaking that the centre will also remain open to public other than the employees of the commercial concerns and other conditions regarding population etc. are also satisfied. In the case of Coal Mines the agreed pattern of financial assistance for family planning centre covering a population of 10,000 is Rs. 5,000 as recurring expenditure and Rs. 2,500 as non-recurring grant. A comprehensive scheme for strengthening of the organisational set up has been drawn up and steps energising their efforts in the direction of motivational and educational aspects of the programme have been taken. It has been decided that the Public Sector Undertakings should be given central assistance in the form of grant-in-aid directly by the Government according to an approved pattern.

(ii) Industrial concerns not covered by the ESI act.

36.22. The Government of India affords financial assistance to the industrial concerns, not covered by the E.S.I. Scheme and whose employees cannot avail of such services from any nearby centre, for providing family planning services, on the following pattern:—

Category I	Assistance
Population less than 10,000	Grant for contraceptives as on required basis.
Category II	
Population 10,000 to 50,000	Non-recurring Rs. 3,000 Recurring Rs. 5,500
Category III	
As for full fledged clinic, viz. 50,000 and above.	Non-recurring Rs. 3,000 Recurring Rs. 19,780

36.23. The Committee during the course of its tours to various States has observed that the supply of information about family planning and distribution of contraceptives either at subsidised price or free of cost are available to workers in a number of units. But only among few of the bigger establishments such arrangements are available to their workers from within the work premises through family planning centres opened by the managements themselves. In such undertakings separate arrangements exist for clinical and surgical treatment as well for post operational treatment. Thus the family planning programme is in operation in all its ramifications. Otherwise in respect to other units the facilities are available through Government's net work of family planning centres at the district level. As regards distribution of contraceptives the facilities extended by the Government by way of grant and also bulk supply to big units are fully made use of by most of the units. Either contraceptives are supplied at subsidised price by the management to the workers or free of cost depending upon the type of facility availed by the employer from Government. Where the managements have not depended on assistance programme of the Government these are distributed at cost price. But the subsidised sales is most widely prevalent form, while free distribution comes next.

36.24. In order that adequate family planning facilities are available to the workers in the management run hospitals, we recommend that the Central and State Government Schemes should give recognition (where not already given) to fully equipped and properly staffed hospitals run by employers for purposes of giving financial assistance in respect of centrally sponsored schemes of family planning so that no additional financial burden is caused on employers.

36.25. Apart from this, compensation is also afforded to workers who take up to family planning measures. The Committee has observed that in majority of units cash compensation ranging from Rs. 20 to Rs. 50 are given to persons undergoing vasectomy and tubectomy operations, over and above the leave with pay that is provided to such employees, for purposes of rest and recoupment in the post operation period. The paid leave varies between 6 to 10 days in many cases. In respect of smaller units the compensation includes the Government assistance extended through E.S.I. and/or local authorities. But in respect of bigger units like Tata concerns, incentives of Rs. 200 is given to those coming forward for vasectomy or tubectomy operations and Rs. 25 is given for loop insertion. This attractive sum is given from the management's side in addition to the compensation offered by the Government. Such lump sum payment with good arrangements for operation and post-operation treatment within the work premises of industrial set up is reported to be one of the effective way of stepping up the Family Planning Programme. Such steps taken by employers are proving very effective in so far as propagation of family planning programme is concerned. The Committee noted with satisfaction that many of employers have been providing additional incentives for their employees participating in family planning programme. We, therefore, suggest that other employers also emulate this example.

Restrictions on maternity benefits vis-a-vis family planning.

36.26. At present various types of benefits are admissible under (a) the Maternity Benefit Act, 1951, (b) the Plantations Labour Act, 1951 and (c) the Employees' State Insurance Act, 1948. It has been pointed out that the provisions contained in these Acts may be suitably amended so as to restrict these benefits to three living children and no more.

36.27. According to the Maternity Benefit Act, a woman worker who has put in not less than 160 days' work in the establishment can claim the following benefits from the employer :—

- (i) Maternity benefit at the rate of average daily wage subject to minimum of one rupee a day for a period of six weeks preceding and including the day of her delivery, and for six weeks immediately following that date;
- (ii) Medical bonus of Rs. 25 if no pre-natal confinement and post-natal case is provided for by the employer free of charge.
- (iii) In case of miscarriage, leave with wages at the rate of maternity benefit for a period of six weeks immediately following the day of her miscarriage; and
- (iv) In case of illness arising out of pregnancy delivery, pre-mature birth of child or miscarriage, in addition to the period of absence specified in (i) and (ii) above, as the case may be, leave with wages at the rate of maternity benefit for a maximum period of one month.

36.28. The benefits enumerated above are given to the women workers irrespective of the number of births.

36.29. The provision of the said Act apply, in the first instance, to every establishment being a factory, mine or plantation, including any such establishment belonging to the Government. It is also provided that the State Government may with the approval of the Central Government, declare that all or any of the provision of this Act shall apply to any other establishment or class of establishment, industrial, commercial, agricultural or otherwise.

36.30. The Employees' State Insurance Scheme has further extended the scope of maternity benefits. Similarly the Plantations Labour Act, 1951, and the Mines Act, 1952 make it obligatory on the part of the respective employers to grant maternity benefits to women employees in their concerns. It has been advocated that the grant of maternity benefits unrelated to the number of births is inconsistent with our drive for family planning. When the rapid growth of our population is exposing the whole country to the danger of a serious population pressure, there is no reason why a change should not be fostered in the existing attitude towards the question of maternity benefits, facilities and amenities extended to the women employees. It would seem illogical to continue to pursue a policy of giving benefits and amenities without any consideration of their effect on the population problem. For example, under the various Acts covering these employees, such as, the Maternity Benefit Act, the Plantations Labour

Act etc. certain maternity benefits like leave with pay, free hospital facilities, cash payments for delivery expenses and also nursing breaks within working hours are available to the women employees regardless of the number of children. It has been expressed that these concessions act as incentives for having larger number of children. Though it may not be desirable to deny medical and hospital facilities to prospective mothers, but there is adequate justification for restricting the maternity benefits only upto three children.

36.31. The employers especially in plantation industry are rightly concerned with the probable effect of unrestricted maternity benefit on family planning activities in view of sizeable percentage of labour force being composed of women workers. Association of Planters of Tamil Nadu has observed that the workers would have little motivation to take to family planning against the irresistible attraction of enhanced maternity benefits. Several State Governments have restricted maternity benefits to female (non-industrial) Government employees. In Kerala, Mysore and Orissa female employees of State Governments having three or more children are not granted maternity leave. Uttar Pradesh Government have also decided on similar course in respect of the State Government employees. The Maharashtra Government have gone a step ahead. Free Medical treatment in the general hospitals throughout the State and various types of concessions, privileges extended to different categories of employees would be stopped forthwith with all these having more than three children. The Central Family Planning Council also observed in April, 1968, that "in the larger interest of Family Planning Programme the withdrawal of this benefit (maternity) should expressly be effected both at Centre and in the States where such benefits exist".

36.32. The employers' organisations and also some of the State Governments like Tamil Nadu and U.P. feel that these benefits should be limited to two or three live births. One of the workers' organisations has agreed with the above view of restricting the maternity benefits upto three children and added that after three children proportionate reduction should be made in the benefits. Otherwise workers' organisations in general have opposed any idea of limiting benefits under the Scheme. The workers reject the theory that unrestricted maternity benefits would act as incentive to have big family. In their opinion they are not inter-related as no worker would consciously go in for adding to the size of the family just for the sake of privilege of enjoying maternity benefits. The positive aspect of incentive in providing no-birth-bonus or bonus for small family was supported by the workers, but they reiterated that maternity benefits should not be curtailed, if this norm is not fully adhered to.

36.33. The Committee considered the question of restricting the maternity benefit as a means of discouraging improvident births but felt, after due consideration, that such restriction will be misunderstood as a means to deprive the workers of the benefits and will be contrary to the purpose of motivating the workers to voluntarily accept the family planning programme. We are, therefore, of the opinion that for the present no such restriction should be introduced.

Child welfare centres and family planning

36.34. The Committee during its tours to various States has observed that in most of the units adequate arrangements do not exist for the care of workers' children, nor there are centres for dissemination of knowledge about child care and nutrition. Such facilities seem to exist only in few such established undertakings which have their own Family Welfare Planning Centre attached to the factory hospital. In the family planning programme at present emphasis is on family limitation. This emphasis will remain for many years to come. But family planning programme is broad based and includes measures for welfare of mothers and children, birth control, spacing of births, infertility, family life education, genetic counselling and child care, etc. The memory of infant death is still fresh in minds of people. Well-baby clinics will be strong motivating force even for family limits. Well-baby clinics provide a good ground for undertaking family planning propaganda as the female workers, who come there for advice on child care, could be educated on the need for family planning vis-a-vis welfare of children which are closely related. The smaller units which have no family planning centre of their own would find it difficult to have child welfare centre. In such cases well-equipped centres should be set up by the Government or the voluntary organisation to attract female workers with children not only for imparting to them the knowledge of child care, nutrition but also for propagating family limitation. We, therefore, recommend that complete integration of family planning with maternity and child health programme be effected where it has not been done so far by the State Governments. The State Governments should also provide regular maternal and child health workers and health educators to visit work place and residential areas frequently to give proper education to the workers and their families and to dispel wrong impressions about various family planning devices on the physical capacity and mental efficiency of the workers.

Role of employers' organisations

36.35. Great enthusiasm has been shown by some leading employers' associations like the Federation of Indian Chamber of Commerce and Industries and the Indian Tea Association, Bombay Mill-owners' Association, United Planters' Association of Southern India, the Indian Chamber of Commerce, Calcutta, Indian Merchants Chamber in Bombay, Textile Industry of Bombay, the Employers' Association of Northern India, and the Faridabad Industries Association etc. The Federation of Indian Chambers of Commerce and Industry has accepted family planning among industrial workers as a major sphere of its activity and has instituted awards to industrial establishments for outstanding family planning work. The Federation has been able to enlist support by Chambers of Commerce and other organisations of industries in Calcutta, Bombay, Kanpur, Delhi and Faridabad. The Indian Tea Association operates a well organised Family Planning Programme in the North East India Tea Estates of Rota Institute of Tropical Hygiene, through the well-equipped garden hospitals with qualified medical personnel. There is a full-fledged family planning office for all plantations under the jurisdiction of Indian Tea Association. Intra-uterine devices have become popular among the plantation

labour in the North East Region. The reduction of birth rate from 44.3 in 1961 to 25.6 in 1967 has been reported. This seems to be brought about by (i) high motivation of top management, (ii) orientation of local management, (iii) motivation of local service giving agency (iv) identification of local leaders, their orientation and their use as channels of communication. These are trusted old women of garden level and (v) well-developed basic health and medical services near the place of work. Contraceptive method used was IUCD. No cash incentives were offered.

36.36. A transport company in south has been able to establish a successful programme in collaboration with the institute of Rural Health and Family Planning, Gandhigram, Madurai.

36.37. The Indian Chamber of Commerce, Calcutta, has evolved its own Family Planning Project and its implementation is effected by a well equipped family planning department. The field operation relating to the programme is carried through qualified field officers. The Chamber aids and advises industrial establishments and social institutions interested in promotion of Family Planning amongst industrial workers. The Mill-owners' Association, Bombay, has set up a Sub-Committee on Family Planning to find out ways and means for propagating family planning programme among workers in member mills. The initiative and encouragement that these organisations are showing in the matter of national importance viz., family planning is worth emulation by such organisations in other industrial sectors. Such efforts would not only help in achieving coordination in the functional aspect of the programme but would lead to comprehensive coverage of the labour force as a whole. The problems of resources in terms of men and material as also technical advice in the matter would also be solved which otherwise the small and the individual units would be faced with. The organisational advantages that such bodies could easily afford through their own net work is another favourable point to be reckoned with. Junior Chamber has done a great deal of educational work amongst industrial sector.

36.38. The United Planters' Association of Southern India, which is doing notable service in organising family planning programmes for workers in South India plantations, have expressed that there are special problems and difficulties of co-ordination of the policies and programmes which prove stumbling blocks in the promotion and intensification of an integrated family planning scheme. The Committee, therefore, recommends that Employers' Associations like Mill Owners' Association, Ahmedabad, Bombay Mill Owners' Association, United Planters' Association of Southern India, Indian Tea Association and such other bodies as are already undertaking active interest in propagation of family planning amongst their workers, should be recognised by the Government of India as voluntary associations for receiving direct assistance from the Government and also for coordinating the family planning activities in respect of their constituent units.

Role of workers' organisations

36.39. There has been an increasing awareness among the workers about the need for having a small family and the desirability of undertaking family planning measures including operations in

Mysore, the employees of the Paper Mill Ltd., Dandeli, have voluntarily agreed to the annual increment being deferred after the fourth child till they undergo sterilization. However, some of the employer units have stated that no perceptible enthusiasm is, discernible among the workers inspite of all arrangements for educating them on the subject and also supply of necessary materials. The consensus of the opinion, otherwise, is that the programme has got into strides, and the trends of workers thinking is encouraging in this regard. Inadequate response has been explained as due mainly to religious and sentimental objections and the misgivings about the after effects of sterilization and such other family planning devices. This position shows that much ground remains to be covered in respect of educational aspect of the programme and spread of knowledge about family planning in correct perspective and also that the techniques of motivation also need review and improvement. The labour force in large establishments is compact and had organised leadership which can be utilised to promote the concept of a small family norm for better health, family welfare and increasing productivity. Although there may be a number of labour unions in an industrial establishment, in the area of family planning and health care there should be consensus and uniform support. The problem is complex. Many factors are concerned in bringing about change in fertility behaviour biological, social, psychological and institutional. There seems to be gap between professed favourable attitude and actual practice. Greater understanding of factors responsible for this gap especially value system are needed. Studies of resistant groups are required.

36.40. The Committee is of the opinion that studies should be conducted among industrial workers in the above area and publication of low cost periodicals and means of communication (in local languages) to disseminate information based on such studies on family planning to remove the doubts of the people on the bad effects of operations, treatment etc., should be brought out by leading employers' associations and trade unions.

36.41. The detailed enquiry by the Committee has revealed that the workers' organisations, though have subscribed to the need for family planning, are not in some places actively involved in the programme. The employers' organisations and State Governments have emphasised the need for involvement of trade unions and their active association in the programme for motivating workers to adopt the norm of small family by resorting to family planning. Workers' Organisations, on the other hand, have expressed their inability to undertake this responsibility for want of financial wherewithal and also due to the prevailing tendency among interested parties to divide the allegiance of workers to any progressive union that may render any service to the cause of family planning. It is felt that workers' leaders and other organisations joining the forces engaged in spreading the message of family planning to the labour force would definitely help create better climate of opinion and understanding in the minds of the workers about the programme. Labour organisations and formal leaders have a responsible role to play in the national programme of family planning and their active and sincere involvement in the programme is likely to ensure success in a shorter time. The key to success lies in the innovators or change agents as in case of

the Indian Tea Association. They need not necessarily be called leader but Sahayaks Sahyogis and receive strong support from both management and formal trade union leaders.

36.42. The success of the Family Planning Programme hinges to a considerable extent on the direct participation by workers and workers' organisations. As such workers' organisations should come forward to play a positive role in propagating family planning programme. All assistance should be rendered by the Central and State Governments and management.

Government assistance.

36.43. The programme should be the peoples programme. 100 percent financial assistance from the Government is available. The State and Central Governments, the Employees' State Insurance Corporation and also local representative Government viz., Panchayat or Community Development Office assist the industrial units in kind and cash in implementing family planning programme. The liberal grants are made available from the Central and State Governments to the managements directly and through voluntary institutions or other organisations for providing incentives to workers to adopt family planning measures. Such Government grants reduce the financial burden on the management. But at present the individual units seem to be confronted with the difficulty in getting proper and timely grants for extension of family planning activities. Such difficulties could be resolved if a lump sum grant is given to some Central Agency or Coordinating Committee which may be entrusted with the task of distributing the grants taking into account the needs of the individual units. With the introduction of new measures of augment services and the supply of contraceptives the above difficulty may not be so acute.

Follow-up service facilities.

36.44. Though the response of workers with respect to adoption of family planning devices is quite encouraging, there is still much scope for improvement. This is mainly owing to the fact that the majority of the workers are illiterate and it has become difficult to make them realise the advantages of various devices for family planning. Besides, there are traditions and social sanctions. In many cases they may have no faith in modern drugs and vasectomy and tubectomy operations. They may also fear that sterilization would result in the loss of vigour, strength and vitality and ultimately restraining earning capacity. Some of them may be under the impression that family planning devices act as interference in the law of nature, which may result in grievous sin. It is essential that such a psychology should be dispelled amongst the industrial workers. This calls for focussing attention on the approach adopted by the Indian Tea Association, East India and conform to the plan of operation which has already yielded substantial results. The Committee suggests that the services of such male and female workers as have succeeded in limiting their families, through family planning methods, be utilised for doing propaganda work amongst industrial workers. The Committee further recommends that emphasis should be laid on careful selection of such workers.

Family planning in plantations

36.45. The Committee noted that in some scattered small plantations adequate services are not provided.

36.46. We, therefore, recommend that in the areas which are not covered by family planning services and those which are situated at out of the way places mobile services be provided by the State Governments in consultation with leading employers' and workers' organisations.

36.47. The Committee has observed that the State Government arrangements and programme of educational publicity has not reached the plantation labour mainly in view of their location. Plantations in southern States, though well-organised have special problems and difficulties of coordination. It has been stated elsewhere in this chapter that there should be recognition of Planters' Association as "voluntary organisation" for receiving direct assistance and for coordinating and directing the family planning programme in the plantation industry. It has been advocated that there is need for a Central Agency for family planning work in plantations with a unit for motivation and educational propaganda. This can be done in consultation with State Governments and managements.

36.48. The Central Government has prescribed cash compensation to the individuals who undergo sterilisation operation as specified by Government. According to the nature of operation, special leave facilities and quantum of cash payment as compensation money for meeting out of pocket expenses to the workers undergoing operations I.U.C.D. insertions have been prescribed by Government of India. Some of the plantation employers have themselves taken to the measures for propagation of family planning. In some of the plantations, workers who undergo sterilisation operation, get cash incentives that may be paid by the employers in addition to what they are entitled under financial assistance programme of the Government. In some of the plantations, incentives as high as Rs. 100 are given in addition to Government assistance.

36.49. Some plantation employers are not in favour of affording financial incentives to workers to popularise family planning. It was suggested that the funds could be better and more profitably utilised on educative propaganda and the motivation to persuade the workers to accept the norm of small family. It was suggested that if there was any saving from payment for family planning, more resources would then be available for activities benefitting the labour community. Therefore, it was felt that the promotion of family planning should be encouraged by every means.

Family planning in mining

36.50. The Committee during the course of its tours to various States in the country has observed that the response of workers towards family planning is not so encouraging much owing to the inadequate propaganda and extension education arrangements in this regard. The need for having an intensified family planning programme in mining becomes all the more imperative if we take into account the number of workers employed in mining industry. The number of workers

employed is estimated to be 6,99,755. Of these about 425,488 are coal miners working in 825 coal mines. Assuming family size of each worker as six and some living singly or more than one member of the family working, population associated with mines may be about 4,000,000. The overall percentage of female workers in the mining industry comes to about 15, per cent. This percentage is considerably high in the case of mines other than coal which employ roughly 46 per cent female labour force. This high percentage of female labour in mines other than coal make the problem quite analogous to the problem in the plantation industry.

In the case of coal mines, workers in the coal fields in Jharia, Mugma, Bokaro, Karanpura, Ramgarh, Korba, Raniganj, Sambalpur, Talcher, Vindhy Pradesh, Chandha, Kereia in Madhya Pradesh, Assam, Andhra Pradesh and Rajasthan are looked after by Coal Mines Labour Welfare Organisation in so far as the medical and health care of these workers is concerned. The Labour Welfare Fund has developed a well-organised medical and health services including well-equipped central hospital (Asansol and Dhanbad), nine regional hospitals, (Katras, Tisra, Choral, Jamai, Dhanpuri, Naisarai, Phusro, Kurasia, and Bhuli). Besides there are maternity and child welfare centres and also Ayurvedic dispensaries. The net work of medical and health units under the Fund Organisation has the following arrangements for propagation of the family planning programme:

- (i) One unit and one fully-equipped mobile unit for each of the hospitals at Dhanbad and Asansol (Kalla).
- (ii) One unit each for regional hospitals at Naisarai, Hazaribagh, Bihar, Jamai District Chhindwara (M.P.), Dhanpuri, (Railway Station), Burhar (M.P.) Sanatoria Hospital of M/s Bengal Coal Coy. Ltd., Disergarh (W.B.) Shri Lakshmi Narain Deo Trust Hospital, Jharia (not from Labour Welfare but by colliery).
- (iii) One mobile unit for regional hospital, Bhuli (Bihar).
- (iv) Mobile Education Unit.
- (v) 35 extension educators. The Labour Welfare Fund also give grant-in-aid to colliery workers for family planning at the rate of Rs. 25 per tubectomy and Rs. 15 for vasectomy. The number of sterilisation operation to be 192. The number of family planning advice given was reported to be 13,248 during the same period.

36.52. Though the family planning programme is adequately looked after by the Coal Mines Welfare Organisation but the position is not the same in the case of Iron Ore Labour Welfare Organisation and Mica Labour Welfare Organisation.

In the case of mines other than coal also there is scope for improvement in the implementation of family planning programme. The Committee during its tours to various States has observed that though the information on family planning is provided, there are no adequate arrangements for supply of contraceptives or sterilisation operation or IUCD insertion facilities near the place of work. Small mines pose special difficulties in so far the organisa-

tion of health and family planning activities are concerned. In the case of mines other than coal also, there is scope for improvement in the implementation and propagation of family planning programme. The Committee during its tours has observed that though the information on family planning is provided by the clinic doctors, there are no adequate arrangements for supply of contraceptive or sterilization operation or IUCD insertion facilities near the place of work. Small mines pose special difficulties in so far as the organisation of health and family planning activities are concerned.

36.54. The Committee has observed that in the case of coal mines, a good deal of family planning activity is undertaken by the Coal Mines Labour Welfare Fund. This should be further intensified. Besides the facilities already available in the regional hospitals opened by the Fund, lady health visitors be deputed in coal mines to intensify propaganda campaign and popularise family planning programme. Similar attention should also be paid to even non-coal mining establishments by the proposed Common Miners' Welfare Fund. The family planning clinic run by the Coal Mines and Common Miners' Welfare Fund should also cover the non-working and village population within their respective areas. Facilities provided by the Fund should supplement the services provided by the State Government.

36.55. In order that realistic programme suited to local situation is developed and all available resources are mobilised to the maximum, there is need to develop the health and family planning services in a coordinated manner. This may be done by a representative group including employer, employees, Welfare Funds, State Health and Family Planning Department, Local Health and Family Planning Agencies, Governmental and non-Governmental and Regional Director Family Planning.

Family planning for agricultural and rural labour.

36.56. Unlike the industrial workers who are concentrated in compact areas in factories and workshops, the agricultural and rural workers are dispersed in small villages throughout the length and breadth of the country except workers working in some large farms. Since such workers constitute a magnitude of the working population and the work with which they are connected is mostly of a seasonal nature and is carried on at different intensities in different seasons, the organisation of family planning programme for such workers deserves special attention. For the purposes of health and family planning services, the term 'agricultural labour' may include all those who depend for their livelihood on agriculture. This may include self-employed. For providing health and family planning to rural labour, it has to be seen that such services are afforded to rural population as a whole as it is difficult to identify rural labour from rural population. At present the health and family planning services, in rural areas is based on a Community Development Block

covering a population of about 80,000 people. There is a health sub-centre serving a population of 10,000. For two sub-centres, a family planning health assistant is provided. There are 4,928 primary health centres with 20,859 sub-centres, 290 centres of State pattern and a number of dispensaries. The family planning programme has developed mainly as integral part of health services especially maternal and child health. The family planning programme at present is being run within the organisational framework of health services. Auxiliary-nurse-midwife (one for 10,000) has become the most important personnel for family planning work at the village level. Family planning and Health Assistant plans and carries out education work and community organisation for the family planning in a population of 20,000. For motivational work for family planning programme it would be beneficial if the services of Village Dais and local innovators (Sahayaks/Sahyogis) are mobilised. They can serve as vital link between the household and service giving agency. The impact of motivational work amongst rural and agricultural labour should be periodically assessed not only for the rural community as a whole but also for the different groups in the country. This will give a clearer indication as to which are the groups which have not been favourably responding to family planning programme in rural India. Those would need more intensive attention by the rural organisation as well as by the State Government.

36.57. Since family planning is essential for improvement of levels of living and increased agricultural production, it is all the more necessary that the agricultural and rural population is made conscious of this fact. Though the programme is launched through Community Development Blocks, there is great urgency that voluntary organisations undertake vigorously educational activities. The health education and propaganda for the practice and adoption of a small family norm be particularly intensified in villages through the Panchayats and local leaders.

36.58. The Committee is of the opinion that the assistance of Panchayats and local leaders should also be utilised extensively specially in rural India to educate agricultural and rural labour to adopt the norm of small family size.

36.59. Bringing about a behavioural change is not simple. There is no single measure to bring about such a change. A number of apparently unrelated steps often bring about the desired results. Rational and objective approach to child bearing depends on variety of factors including social policy like taxation, land holding, peasant proprietorship, education, age at marriage, liberalisation of abortion, etc. These bring about change in value system. Hard core values change slowly. Local leadership aids in bringing about change. The Committee is of the opinion that measures of social policy need further enquiry but even at present social climate should be created to increase the age of marriage of girls and liberalisation of abortion and the need for legislative measures should be considered.

CHAPTER XXXVII

COOPERATIVES AND SAYING FACILITIES

37.1. Cooperatives have a very important role to play in the family budgets of industrial workers. Cooperative consumers' stores/fair price shops are one of these allied welfare amenities which help considerably in safeguarding the real purchasing power of workers against erosion of wages by rise in prices of essential commodities which consume the bulk of the earnings of workers. The cooperative credit and thrift movement is significant in so far as it helps to create, amongst the workers, consciousness to lay by something, how-so-ever meagre it may be, for meeting expenses connected with essential domestic responsibilities such as marriage etc., or social obligations or unforeseen calamities like prolonged ailment and similar situations of distress or dire need.

Consumer Cooperative Stores/Fair Price Shops

37.2. The importance of opening some special shops for the working class was first realised during the Second World War when a large number of consumers' cooperative stores were organised by the Government of India for distribution of controlled commodities. The impetus gained by this movement had a temporary set-back with the lifting of control on foodgrains in 1948 when most of the societies were wound up. The importance of such institutions was again recognised when the country embarked upon planned economic development. Essentially inherent in a developing economy are the germs which give rise in prices of essential goods specially those which enter in the consumption of the low income group people.

37.3. A review was made of the impact of this movement, in 1961, when a Committee was set up (under the Chairmanship of Dr. P. Natesan, General Secretary, Tamil Nadu Cooperative Union Ltd., Madras) by the National Cooperative Development and the Warehousing Board. The Committee was expected to suggest measures for the development of the consumers' cooperative stores in the country. The Committee recommended a pattern of organisation and structure, finances, business techniques and operation, democratic control and management etc. It also recommended that in each sizeable factory unit, industrial area, and workers' and Government servants' colonies, workers' and employees' stores should be organised in a planned way. The Committee also felt that it should be made obligatory on employers and also on industrial undertakings to introduce the consumers' cooperative activities in their labour welfare programmes.*

37.4. In order to evolve a pattern for the organisation of such stores for the benefit of industrial workers, the matter was discussed in detail in the 20th Session of the Indian Labour Conference held in August, 1962. The Conference adopted a scheme for setting up of consumers' cooperative stores in all industrial establishments, including plantations and mines, employing 300 or more workers. Under the scheme an employer was called upon to give financial assistance in the shape of share participation, working capital loan, manage-

rial subsidy etc. They were also expected to provide accommodation free of rent or at nominal rent, free furniture and free supply of water and electricity.

37.5. The matter assumed further importance in the wake of Chinese aggression. In order to keep the production running at an enhanced pace, it became necessary that supply of essential commodities and articles of daily need were made available to workers in industrial undertakings at reasonable prices and without interruption. The country adopted the Industrial Truce Resolution in November 1962. An integral part of this Resolution was to keep the prices of essential commodities as low as possible and to ensure that sufficient number of fair price shops/consumer cooperative stores were opened in industrial undertakings as decided by the Indian Labour Conference in its 20th Session so that all such undertakings which employ 300 or more workers were assured of regular supply of essential items of foodstuffs and other daily needs and the workers were not required to waste their time in procuring those items from the open market.

37.6. The functioning of the Scheme of cooperative consumer stores and fair price shops was reviewed a year later by the Standing Committee on Industrial Truce Resolution, in August, 1963. The Committee expressed its dissatisfaction with the progress of setting up of cooperative consumer stores. It noticed that a number of reasons were responsible for the slow progress which included delays in registration of societies, adoption of bye-laws, election of managing committee, etc. The Standing Committee also decided that the industrial units which had not already set up cooperative stores, should open fair price shops and distribute through these shops, rice, wheat, and sugar at the same prices and scales as supplied by Government in the general fair price shops.

37.7. The Standing Labour Committee, in its session held in December, 1963, took stock of the progress made as a result of the recommendations of the Standing Committee of the Industrial Truce Resolution held four months earlier. This Committee decided that where no cooperative stores had been set up fair price shops opened by the employers should enlarge their coverage of the articles sold to include at least 50% of the range of consumers' articles needed by workers. It was further decided that the fair price shops so opened should be run entirely by the employers until a cooperative store was set up after which the fair price shop business could be taken over by the cooperative stores. This was contemplated as a stop-gap arrangement so that some time could be gained by the industrial establishments to initiate steps for the establishment of cooperative stores without loss of time. The Standing Labour Committee further stressed that such industrial establishments, as had neither a cooperative store nor a fair price shop should immediately set up one of these, provided at least 200 workers, in the industrial establishments, were willing to make purchases from such a shop.

* Page 101 of the Report of the Natesan Committee.

37.8. In November, 1964, the Standing Committee on Industrial Truce Resolution decided that besides distributing rice, wheat and sugar as supplied by Government to the fair price shop or cooperative store, the employers should also supply three other commodities on wholesale rates namely, cooking medium, dal and two popular varieties of textiles. Where a cooperative store undertook the distribution of these commodities at wholesale rates on behalf of the employers, the latter were expected to subsidise the store to the extent of loss suffered between the wholesale and retail prices of these three commodities.

37.9. The importance of the provision of a consumer's cooperative store or a fair price shop, continued to be felt and was not confined only to a particular situation arising out of the Chinese aggression in 1962. The State Labour Ministers' Conference and the Indian Labour Conference both held in New Delhi in 1966 again took stock of the progress in the matter. They were dissatisfied with the implementation of the programme, particularly in case of private undertakings and plantations

breakup wherein only 65% of the establishments had set up the cooperative stores/fair price shops.

37.10. The workers' representatives stressed the fact that if the progress in the opening of co-operative stores/fair price shops even after four years of the decision taken by the Indian Labour Conference, to which the employers' representatives at the national level were a party, was to be slow, then legislation forcing the employers to set up these institutions, be taken early.

37.11. No legislation was, however, undertaken and persuasive efforts of the Central and State Governments continued to be made in the matter. As a result of these efforts considerable progress was made in establishments employing 300 or more workers in factories and mines. The position with regard to the number of units required to open consumers' cooperative stores/fair price shops in factories and mines and the units which had actually done so as on 1.3.66 and on 1.3.68 is indicated in the table below:

TABLE 1

Industrial Sector	Total No. of establishments employing 300 or more workers as on		No. of consumers co-operative stores and fair price shops as on					
			C.C.S./F.P.S.		C.C.S./F.P.S.		Total	
	1-3-66	1-3-68	1-3-66	1-3-68	1-3-66	1-3-68	1-3-66	1-3-68
1	2	3	4	5	6	7	8	9
I. Factories								
1. Private Sector . . .	2,515	2,664	1,080	501	1,285	463	1,581	1,748
2. Public Sector . . .	792	825	505	158	587	167	663	754
II. Mines								
1. Coal Mines . . .	400	400	283	..	349	..	283	349
2. Non-Coal Mines . . .	168	168	15	..	15	..	15	15
TOTAL	3,875	4,057	1,883	659	2,236	630	2,542	2,866

37.12. This table shows that the percentage of employers which had provided the facility of consumers cooperative store/fair price shop till March, 1968 was as high as 91% in the public sector factory establishments followed by 87% in coal mines, 66% in private sector factory establishments and 9% in case of non-coal mines. The overall coverage was 71% on March 1, 1968 as against 65% in March, 1966. The plantations industry did not attach the desired importance to the provision of cooperative stores/fair price shops. Out of 942 plantations required to open such shops, on March 1, 1968 only 121 had done so. Statewise

of the position in respect of plantations is indicated in the table below:

TABLE 2

Name of the State	Number of plantation estates employing 300 or more workers	Number of Co-operative stores set up	Number of fair price shops set up by the employers
1. Assam . . .	469	9	..
2. West Bengal . . .	241	24	..
3. Kerala . . .	102	16	..
4. Madras . . .	100	27	..
5. Mysore . . .	30	4	..
TOTAL	942	80	41

* Source : Figures for 1-3-66 have been taken from page 43—Appendix III of the Handbook on Consumers' Co-operative for Industrial Workers (Department of Labour & Employment, Government of India).

† Source : Department of Labour and Employment, (Government of India).

37.13. The Association of Planters in the North-East India have been pleading that they have been supplying foodgrains to workers at concessional price. The concession ranges from Rs. 15 to Rs. 20 per maund. It was, therefore, not necessary for them to have a scheme on the lines indicated by the Indian Labour Conference and the Central Ministry of Labour. They have also been maintaining that since arrangements for procurement and distribution of foodgrains already existed in the State, the cooperative stores or fair price shops, even if opened, would not have the adequate turn over to make them economically viable. The Indian Tea Association is of a view that no useful purpose would be served by opening consumer cooperative stores in the plantation areas and such stores should be started by the State Cooperative Department at focal points, frequently visited by the workers. All the planters' associations have expressed their disagreement with the decisions arrived at in the 12th Session of the Industrial Committee on Plantations which too had urged upon them to open such fair price shops.

37.14. Despite these divergent views the Central Labour Ministry continued its efforts with the State Governments to prevail upon the employers to open these stores/shops. Till February, 1969, there has been a further increase of coverage to 69% excluding plantations in North East India. The coverage in the Central public sector factory establishments rose to 95% whereas the private and State public sector undertakings together accounted for 63%. In absolute terms out of a total of 4008 establishments employing 300 or more workers on February 1, 1969, 2169 had opened consumers' cooperative stores and 591 establishments had fair price shops. In plantations out of 934 eligible units the figure continued to remain the same as it was in March, 1968.

37.15. The progress in the number of fair price shops/cooperative consumer stores, opened in factory establishments and in mines during the course of seven years, had established the need and the utility of these institutions. It has come to stay as an adjunct of necessary welfare amenities. The Committee in its questionnaire, therefore, invited the views of State Governments, public sector undertakings, various employers' and workers' organisations to find out steps that could be taken for proper organisation and administration of these institutions.

37.16. The consensus of replies as also the evidence tendered before the Committee, is that the institution of cooperative stores/fair price shops has a definite role to play in providing workers with essential items of need. The private employers' organisations have, however, been maintaining the line that the institution of fair price shops/consumers cooperative stores, should not be universalised for all industries because there could be situations where either the workers were living at a distance from the place of their work or the turnover in the fair price shops/consumer cooperative stores, was so small that it was not economically viable to have these shops. The workers' organisations, on the other hand, have been pressing that the employers must be prevailed upon, if not compelled through legislation, to open fair price shops inside the establishment, even as a part of their canteen and the prices of articles sold by the fair price shops should be cheaper than the market prices. The workers should also be allowed

to make purchases on credit so that the fair price shops are popular with them.

37.17. One of the State Governments have suggested that statutory provisions should be made by the Government of India, requiring all such employers to initiate and promote the opening of co-operative consumer stores/fair price shops as employ more than 250 workers in their concerns.

37.18. The progress made in this respect so far is a clear indication of the fact that the need for such institutions has by and large been realised by all establishments except in the case of plantations for reasons mentioned earlier. Since 1962, persuasive efforts have been made in the matter. The position had been reviewed by the Standing Labour Committee as well as by the Indian Labour Conference from time to time. The matter was also discussed by the Government of India at the Cabinet level in June, 1965. The progress of implementation with regard to the setting up of fair price shops was discussed at the State Labour Ministers' Conference held on July 28, 1966 as well, followed by further discussions in the Indian Labour Conference on June 29, and 30, 1966. The workers' representatives pressed that the decision of the Standing Labour Committee taken in December, 1963, that if satisfactory progress was not made by the end of 1964 the Government would consider legislation making the setting up of fair price shops a statutory obligation like the setting up of canteens under the Factories and Mines Acts, should be implemented.

37.19. The Scheme was first conceived in 1962. Since then lot of persuasive efforts have been made to prevail upon the employers to open fair price shops or help to establish cooperative stores. Figures made available to the Committee reveal that even by the end of March, 1968, fair price shops and cooperative stores had not been established in 1839 out of 4008 establishments, requiring to do so. The Committee, therefore, feels that time is now ripe to consider the desirability of implementing the decision of the Standing Labour Committee with regard to legislation for the opening of the fair price shops.

37.20. The Labour Ministry's Scheme, as it stands now, is applicable only to such industrial establishments as employ 300 or more workers. Experience has shown that even with the limit of 250 workers laid down for the provision of canteens in factory establishments as also in mines, a majority of the factory establishments are not obliged to provide this important welfare amenity.

37.21. The Standing Labour Committee had earlier decided that where at least 200 workers in an industrial establishment show their interest in making purchases from a fair price shop, that establishment should open such a shop. We are inclined to feel that keeping in view the popularity of fair price shops/consumer cooperative stores, especially in factory and mining establishments, the limit of 300 workers laid down under the existing Scheme for opening a fair price shop/consumer cooperative store, should be progressively reduced so as to cover establishments employing 200 or more workers provided the turnover of the fair price shops/consumer cooperative stores, is adequate and workers do not get regular and cheap supplies of essential items of daily use from other well organised private shops which may be located

in the vicinity of the establishment and are run on competitive basis or can be controlled by the employers.

37.22. The employers' representatives have some misgivings that if we reduce the fixed number of workers for opening fair price shops/cooperative consumer stores, the turnover would not be sufficient enough to make these stores economically viable. We have made it abundantly clear in our recommendation that fair price shops, etc., should be opened for establishments employing less than 300 workers only if there is sufficient justification for a sustained demand so that the turnover is sufficient enough to justify the existence of such shops. We see no reason why these shops should not be popular with the workers if they really serve the purpose for which they are established.

37.23. During the course of evidence tendered before the Committee by the workers' representatives, it was told that cooperative stores and fair price shops should be opened within the industrial areas and items of daily need should be made available so that workers may not waste their time in coming and going for the purchase of ordinary commodities of daily use. One of the reasons for the fair price shops/consumer co-operative stores being not as popular with the workers as they ought to be if they are otherwise run efficiently and managed well, is that especially in big cities and towns workers reside at quite a distance from their place of work. Distance coupled with transport difficulties acts as disincentive for them to patronise fair price shops/co-operative stores within the precincts of industrial establishments. We feel that to this extent existing scheme suffers from a lacuna. We would rather suggest that instead of opening these stores in the precincts of industrial establishments, fair price shops/consumer co-operative stores, especially in the case of Metropolitan and other large cities, may be opened in residential areas, if the workers so desire. Where large workers' housing colonies have come up and which are away from the main urban settings, fair price shops may be set up by individual establishments or by a number of establishments jointly where workers of these establishments reside in a colony.

37.24. On the basis of the replies received from different parties, it has been gathered that the articles generally kept for sale in fair price shops, are the rationed items such as food-grains, sugar, suji, maida, etc. In some of the fair price shops, other essential items of day to day requirements such as general merchandise goods, electrical goods, textiles, cosmetics, medicines and drugs, readymade garments, dry-fruits, milk-powder, stationery etc. are also sold.

37.25. As regards price charged in these shops stores, different practices are being followed by the establishments. Some sell their articles at controlled rates, some at concessional rates, and still some others sell either at Government rates, lower than the market rate or rates prevalent in other co-operative stores. It is apparent from the above facts that while some fair price shops/stores sell articles at no-profit-no-loss basis others have not followed this practice. In some cases, marginal profits or nominal profits are charged.

37.26. There is no denying the fact that the object of opening fair price shops or co-operative consumers' store is defeated if they are not able to sell items of essential need referred to above at

rates cheaper than those prevailing in the market. To achieve this object, a nominal subsidy on the part of the employers cannot be denied. Some subsidy is already available in the shape of rent free premises or premises on nominal rent, free electricity and water, free furniture and also subsidy in the form of payment of salaries of the staff employed in fair price shops/cooperative stores. The workers too have to play their part in popularising the stores so that they are placed on sound footing and the encouragement given by the management does not go unrewarded. But the Scheme of setting up fair price shops/consumers cooperative stores in industrial establishments cannot succeed if the State too does not play its role in the matter effectively. Since food-grains are generally controlled by the State Governments and they also arrange distribution of various commodities to central and individual cooperative stores/fair price shops, it is incumbent on the State Governments, if the Scheme has to make a headway, that they should ensure un-interrupted supply of foodgrains to these shops/stores. We, therefore, recommend that in order to popularise the fair price shops/consumers' co-operative stores, State Governments should take effective steps including taking assistance from Central Government to ensure regular and adequate supplies of essential articles of foodgrains to these institutions.

Cooperative credit societies and saving facilities.

37.27. The cooperative credit societies and saving facilities have important role to play in augmenting the limited family budgets and financial resources of the lower, lower middle and middle class strata of societies, a substantial part of which is constituted by the working class population. The Royal Commission on Labour touched upon the question of indebtedness in its Report at some length. The Commission observed that "among the causes responsible for the low standard of living of the workers, indebtedness must be given a high place". The Commission further went on to say that "Many indeed are born in debt and it evokes both admiration and regret to find how commonly a son assumes responsibility for his father's debt, an obligation which rests on religious and social but seldom on legal sanctions". The Commission found that majority of industrial workers were in debt for the greater part of their lives. It indicated that in most of the industrial centres about 2/3 of the working population was in debt and that the amount of debt commonly exceeded three months' wages.

37.28. The Labour Investigation Committee also dealt with this question in detail. The Reports of Family Budget Enquiries (1943-45) too revealed a gloomy picture of indebtedness among industrial workers. Another Family Budget Enquiry conducted in 50 selected industrial centres in 1958-59 and the Survey of Labour Conditions carried out by the Labour Bureau, Simla, in 46 industries between 1960-66 as well, confirmed the earlier findings on indebtedness.

37.29. The Reports on Family Budget Enquiry 1958-59, reveal that in important centres like Ahmedabad, Bombay, Calcutta, Delhi, Jamshedpur, Sholapur and Madras, a large number of families, roughly 70% and even a little more, were under debt. Majority of workers were in debt to the extent of Rs. 150 to Rs. 500; some of them were even more indebted. In Jamshedpur as many as

68% of the workers were in debt to the extent of Rs. 500 and more. The Reports further reveal that the loans were generally taken for purposes of marriage, meeting the needs arising out of sickness as also to make up the gap between income and the then prevailing high cost of living.

37.30. The sources of loan, besides provident fund, included cooperative credit societies, employers, money-lenders, shop-keepers, friends and relatives. Friends and relatives topped the list of lenders. Next came money-lenders and cooperative credit societies. The money-lender charged a very high rate of interest. The percentage of loans obtained through cooperative societies, except in the case of Jamshedpur where it was about 50%, was generally very low.

37.31. The information contained in the preceding paragraphs, establishes a case for intensification of the movement for establishment of thrift and credit societies among industrial workers. The Survey of Labour Conditions carried out by Labour Bureau, shows that the cooperative credit societies had not been formed to a perceptible extent in industrial establishments. It is, therefore, necessary that considerable attention should be paid to the propagation of this movement among industrial employers and workers.

37.32. Besides, helping in augmenting the family budgets of the workers, these societies have the added advantage of encouraging the habit of thrift and saving among those who can afford to save some money to tide over their difficulties in time of need as also at the time of retirement.

37.33. Realising the importance that this institution has to play in regulating family budgets of the industrial workers and also in giving them avenues for augmenting their financial resources in time of need, the Committee invited the opinion of State Governments, public sector undertakings, employers' and workers' organisations on the need of forming cooperative credit societies in industrial undertakings as also the extent of their activities. One of the State Governments have stated that cooperative thrift and credit societies are not functioning well as they are only recommendatory and there is no statutory law to compel the employers to open such societies for their workers. Any employer, who employs more than 50 workers should be compelled to open a cooperative credit society in his establishment. A public sector undertaking has stated that the demand for loans in these societies is enormous but they are able to meet it only partially. Financial resources should be made available for the effective functioning of these societies. An important employers' organisation has observed that functions like recreation and running of cooperative society should be entrusted to the trade unions. Reserve Bank of India has prohibited acceptance of deposits by the employers from their employees for a period less than one year. This has retarded the saving habit among employees. It has been suggested that employers may be allowed to accept deposits from their workers regularly and without any time limits for withdrawal.

37.34. The Central workers' organisations have observed that the cooperative credit societies can work satisfactorily only if subsidy and financial

help is given by the employers. Well trained and experienced staff should also be made available to run the credit societies effectively. It has also been suggested that necessary legal provisions may be made in the Co-operative Law to have cooperative credit facilities for all the industrial workers.

37.35. Some other organisations have observed that cooperative credit societies should be intensively promoted among workers to solve the problem of indebtedness. They should be adequately informed about the merits of the credit societies as compared to the other sources of money-lending. Time consuming procedure for taking loans should be made simpler. The credit societies should also expand their operations to meet the urgent and short term demand for loans at nominal interest.

37.36. During the course of its tours to various States, the parties appearing for oral evidence also urged upon the Committee the need for establishing the cooperative credit institutions in industrial establishments for the benefit of workers. We recommend that the employers should encourage the formation of such cooperative societies in their establishments. The Committee hopes that it would be found possible by all such managements as employ 200 or more workers to have such credit societies in their establishments.

37.37. The question has been raised before the Committee whether any legislation should be undertaken to compel employers to provide funds to meet expenditure on furniture, accommodation, staff, etc., to cooperative credit societies, as in the initial stages such societies may not have adequate funds to meet such expenditure. The Committee do not consider that any such legislation is necessary, as they hope that managements would provide such facilities on their own.

It has been found by experience that the number of persons seeking loans from cooperative credit societies is much larger than the number of persons who invest money either in share or in compulsory or voluntary deposits with cooperative credit societies. The Committee, therefore, recommends that managements may help such societies in initial stages by giving advances at nominal rates of interest for long period.

37.38. The Committee learns that in some States members of cooperative credit society are allowed to purchase only a limited number of shares under the Act or under the by-laws of the various societies. We feel that such a restriction ought to be removed if the societies are to play an effective role to meet the demand of loans for workers. The Committee, therefore, recommends that excessive restrictions should be relaxed in order to encourage members to invest any amount of money in shares and thereby increase the capital base of cooperative credit societies.

37.39. The value of a share is normally kept very low, i.e., about Rs. 10 and multiples thereof which appears reasonable. However, keeping in view the very low capacity of the workers to spare money from their limited pay packets we feel that though value of the share may not be reduced, but in order to enable a very large number of workers to participate in the share capital of the co-operative credit societies, workers may, wherever necessary,

be allowed to pay share money in instalments as provided in the Co-operative Societies Act. Payment of Wages Act, 1936, already contains provisions empowering the employers to deduct share money from the wages of the workers in instalments for payment to cooperative societies.

37.40. Lack of availability of trained staff among the workers is yet another block which does not allow successful running of the cooperative credit societies. Many cooperative societies have become defunct or their finance embezzled due to shortage of trained staff. The Central and State Governments are keen that cooperative credit societies among

the industrial workers are popularised. It is, therefore, essential that they should also come forward to play their role in the matter. We, therefore, recommend that the Central and State Governments should take suitable steps to remove this handicap and propagate amongst industrial workers the utility and need for not only forming such societies but also running them well. This could be achieved in a number of ways, namely by bringing out suitable literature on the subject, by holding seminars and also by arranging study tours of workers drawn from good cooperative credit societies functioning in different parts of the country.



CHAPTER XXXVIII

DISTRESS RELIEF AND CASH BENEFITS

38.1. Non-statutory welfare amenities provided to the workers by employers voluntarily cover a wide range depending upon the importance that an employer attaches to these benefits for the creation of goodwill amongst his workers. One of these amenities is in the nature of ex-gratia payments popularly known as distress relief and cash benefits. We felt that an adequate mention should be made of such ex-gratia payments which are given by employers in varying degrees to their workers. The Committee, therefore, invited the views of the parties on the two basic issues namely (i) whether the provision for relief in case of distress like death, injury, sickness and for felicitation grants in case of marriage etc. is favoured, and if so, what should be the manner for administering the same; and (ii) whether any system of making festival advance for workers exists in their establishments and if so, the details of the scheme.

Manufacturing establishments.

38.2. The Schemes received from the responding parties include Private Employers, Public Sector Undertakings and Departmental Undertakings like Railways, Posts & Telegraphs and Dock Labour Boards. They show that even in the case of this welfare amenity, practices differ from Industry to Industry, and from establishment to establishment in the same Industry, depending upon various factors. It would be appropriate to quote a few examples. The Imperial Tobacco Company of India gives a maximum sum of Rs. 250 to the dependents on the death of a worker. The Delhi Cloth and General Mills Ltd. has constituted an Employees' Benefits Trust Fund for the purpose which has its detailed regulations for a variety of activities including Daughters' Marriage Scheme for workers and a lumpsum payment to the dependents of a worker in case of pre-mature death. In the case of banks, there is a general practice of giving one month's basic pay from the Provident Fund or the Benevolent Funds of the Banks in case of death, serious illness and injury etc. The Air India has Staff Welfare Fund which gives a suitable grant in case of prolonged illness and funeral expenses etc. The Indian Airlines Corporation, has placed discretionary grants at the disposal of their area managers for providing a relief in natural calamities like floods, droughts, etc. The Life Insurance Corporation gives financial assistance to its employees in the case of floods, famine, cyclones and fire etc. The Railways provide relief against such calamities from the Staff Benefit Fund.

38.3. Views have been received from different parties with regard to the desirability and universality of such benefits. Some of the State Governments have suggested that (i) Provision should be made for distress relief. These funds should be administered by a Welfare Committee consisting of employers' and workers' representatives. (ii) The employers may set apart specific funds for the purpose which may be equally supplemented by subscription from workers. (iii) Big establishments should have their own welfare funds to provide immediate relief in case of distress like death. It should be made up of donations from the employers and workers and administered in

each factory by a Trust formed by representatives of management and workers. (iv) At each unit level, the employers should contribute at least Rs. 5 per annum per worker. Registered Trade Unions should also be required to contribute at least 25 paise per worker per annum and (v) Existing provisions under the E.S.I. Act, Workmen's Compensation Act and Provident Fund Act, are quite adequate for the purpose and there is, perhaps, no need to set up any other fund.

Plantations.

38.4. The planters have also been giving assistance to workers in case of distress. The quantum of this relief has been varying from one garden to another. The replies received from the responding units, do not throw much light on the subject beyond what has been stated above.

Mining Industry.

38.5. The hazards of Mining Industry are well-known. It is more accident prone. The need for Distress Relief in such Industry, is, therefore, quite obvious. In case of coal mines, the Coal Mines Welfare Organisation has two schemes for providing Distress Relief. These are (i) Coal Mines Fatal and Serious Accident Benefit Scheme and (ii) Scheme for payment of subsistence allowance under temporary disablement. Under the first Scheme, the Coal Mines Welfare Commissioner is empowered to grant the benefits to miners in the event of fatal accident or total or partial disablement.

38.6. The latter scheme i.e., Scheme for Payment of subsistence allowance under temporary disablement, relates to the grant of allowance for colliery workers. Under this scheme, an allowance of Rs. 25 per month is granted by the Coal Mines Welfare Commissioner for temporary disablement due to injury caused by the colliery accident or sickness for a period of six months.

38.7. This scheme is also applicable to the Mica Miners, in the States of Bihar, Rajasthan and Andhra Pradesh, who die or become totally and permanently incapacitated due to accident in Mica Mines.

38.8. The details with regard to Distress Relief and Cash Benefits, in the case of Non-coal establishments have not been received from any of the responding units. In Kolar Gold Fields, however, if a worker dies as a result of an accident, funeral expenses are partly borne by management.

38.9. The suggestions received from public sector undertakings indicate that there is a general agreement on the provision of some facilities in case of pre-mature death and other kinds of distress. Felicitation grants for marriages are, however, not favoured by a majority of these undertakings though it has been stated that Employees' Daughters' Marriage Fund may be constituted as the expenditure on daughter's marriage imposes a severe strain on the earnings of workers. To a certain extent, it may be possible to finance the benefits from this fund by a limited scheme of insurance to which the employees having daughters

can contribute. It has also been suggested that any Scheme of Distress Relief Fund should be integrated with Employees' State Insurance Corporation and Employees' Provident Fund.

38.10. There is also a suggestion that a fund on the lines of Coal and Mica Mines Labour Welfare Fund may be set up for this purpose.

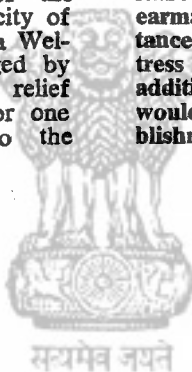
38.11. Such of the Private Employers' Organisations, as do not run any Schemes of their own, have suggested that there is enough provision under various schemes like E.S.I. and Factories Act and no other relief or grant is necessary.

38.12. The Workers' Organisations have lent whole-hearted support to the idea of creating a fund for Distress Relief. Various suggestions have been received from them. These are (i) Creation of a Voluntary Fund with equal contribution from employers and workers. (ii) Grant of advance by employers and its recovery in easy instalments. (iii) Advances against Bonus. (iv) The scope of E.S.I. may be widened or any other similar Scheme be formulated to administer provisions for relief in case of distress like death, injury, sickness, etc. (v) A Scheme of Social Insurance oriented to the conditions in India, may be introduced. (vi) The statute should prescribe that $\frac{1}{2}$ % to 1% of the gross receipts in accordance with the capacity of the unit to pay should be set apart towards a Welfare Fund each year, to be jointly managed by management and union; and (vii) Distress relief payment at the rate of a month's salary for one year and half a month for the next year to the

dependents of the deceased, through the Employees' State Insurance Scheme.

38.13. In all industries and undertakings workmen are likely to face particular situation where on grounds of compassion a payment outside all contractual obligations may be necessary to tide over an emergency. Such payments or assistance cannot be based on statute. We feel that such benefits should be entirely voluntary but we should like to see this practice spreading as widely as possible. We, therefore, suggest that wherever facilities in respect of Distress Relief and Cash Benefits do not exist, employers and employees concerned should work out a mutually acceptable formula for providing such benefits to the workers.

38.14. We recognise that there is no dearth of goodwill on the part of employers for providing relief to their workmen in distress how-so-ever small an employer may be. But will to do alone does not solve the problem in the absence of an employer's capacity to pay. Even then the employers may provide some relief to the workers. But, it may be paltry. We feel that in such a situation, the State must come forward to undertake distress relief measures. We have, elsewhere in this Report, recommended the institution of Statutory State Labour Welfare Boards. We feel that the State Labour Welfare Boards, when set up, should also earmark a portion of their funds for giving assistance to small scale employers as grants for distress relief funds of their workers. This will be in addition to the contribution that the employers would themselves make. This will apply to establishments employing 50 or less workers.



CHAPTER XXXIX

EDUCATIONAL FACILITIES

Introduction.

39.1. The pace of economic and social progress of a particular country largely depends, among other factors, upon the quality of the work-force. This has a special significance in view of the rapid technological changes. Education, in this context, plays a very important part in motivating and enabling the working population for changes necessary for accelerated progress.

39.2 The provision of educational facilities has been recognised as an essential element for mental and physical development of a human-being. The recognition of this fact has been emphasised in the social and economic planning of the country and in every plan a specific out-lay has been earmarked for the development of social, general and technical educational facilities. The subject has been dealt with both as the responsibility of the State for the citizens at large and also for different sections of the population engaged in different vocations. Industrial workers form a sizeable part of the working population of the country. The quality of the industrial force is an important factor in the economic and social progress of any country, and India is no exception to it. It has been recognised that a literate worker is more receptive of technological changes which are taking place in the rapid advance of economic and social reconstruction of our country. Not only the worker but the education of his family too plays a significant role in motivating the present working population for the accelerated pace of economic development in which the workers are active participants. Adult education for families too, is thus equally important for preparing workers' children, who are to form the work-force for the future age, which is undoubtedly an age of more technological competition and intensive use of sophisticated skills. It is in this context that the Committee on Labour Welfare also included in its questionnaire a few questions relating to educational facilities available to children of workers, the arrangements for imparting adult education to workers themselves, the need for spreading literacy amongst industrial workers and amongst the members of their families as also the agency which could best answer the needs for spreading adult education and making it more effective amongst industrial workers.

Observations of earlier industrial commissions.

39.3. The need for imparting necessary education to workers in India had been emphasised by the Indian Industrial Commission (1918) and the Royal Commission on Labour (1931). The Indian Industrial Commission observed that "A factor which has tended in the past to delay the progress of Indian industrial development has been the ignorance and conservatism of the uneducated workmen". The Royal Commission on Labour stated that "In India nearly the whole mass of industrial labour is illiterate, a state of affairs which is unknown in any other country of industrial importance. Modern machine industry depends in particular degree on education and the attempt to build it up with an illiterate body of workers must be difficult and perilous". Though considerable

improvement has taken place in the general standard of literacy and education of working class since the observations of these commissions, the overall position with regard to the preponderance of illiteracy amongst working population continues.

Survey on illiteracy amongst industrial workers.

39.4. According to 1961 census literacy in the country had increased from 17% in 1951 to 24% in 1961. In absolute number, however, this trend was reversed with the increase in population. The total number of illiterates rose within this period from 298 million to 334 million. No authentic and reliable data is available with regard to the extent of illiteracy amongst industrial workers. An attempt was, however, made to find out the magnitude of the problem by a Panel set-up by the Planning Commission in 1964. According to the Panel the rate of illiteracy was the highest in Coal mining (75%), followed by Tea Plantations (72%), Jute Textiles (57%) and Cotton Textile and Iron and Steel (41%) each. The table given below makes it clear further :—

TABLE*
(As on 31st March, 1964)
(Number in lakhs)

Industry	Number of workers	No. of illiterates in the age group 16-45	Col. 3 as % of Col. 2
(1)	(2)	(3)	(4)
1. Tea Plantations .	7.02	5.09	72%
2. Coal Mining .	4.79	3.57	75%
3. Jute Textiles .	2.88	1.63	57%
4. Cotton Textiles .	11.00	4.55	41%
5. Iron & Steel .	2.46	1.02	41%
TOTAL .	28.15	15.86	56%

Efforts made by employers in adult education.

39.5. According to Reports of Survey on Labour Conditions conducted by Labour Bureau, during 1960-66, Adult Education Centres were being run by about 21% of the units of Jute factories in West Bengal. In Cotton Textile Industry, such facilities existed in nearly 1/5th of factories in Bombay City and its suburbs, as also in Kanpur. In Bombay, the classes were run only in the mill premises but in Kanpur, these were run in workers' localities. In case of Silk factories, the percentage of factories running adult education centres for their employees was 0.2. The classes were being organised outside the factory premises. In tea plantations and tea factories as a whole, adult education centres existed in nearly 5% of the

*Source : Report on Literacy among Industrial Workers—Page 19

estates in West Bengal, 9 in South India and one each in Assam and Tripura. Adult education centres were run within the state area in all such units in Assam, Tripura and Southern India. But in West Bengal, majority of adult education centres were outside the estate premises. None of the coal mines' owners had made arrangements for running adult education centres because such centres were being organised by the Coal Mines Labour Welfare Fund.

39.6. The findings of the Survey clearly reveal that no tangible efforts were being made to eradicate illiteracy amongst industrial workers. The Coal Mines Welfare Fund was running 57 Multipurpose* Institutes and 105 Feeder Adult Education Centres.

Need for adult education.

39.7. The high rate of illiteracy prevailing amongst the workers in three major sectors of industries, namely, factory establishments, mining and plantations highlights the need for accelerating the pace of adult education amongst workers. There are no two opinions that a literate worker is a better asset to an industry, than an illiterate worker. It is also a matter of pride for any industry to claim that the workers that it employs, have a high degree of literacy and as such are more responsible citizens, fully conscious of their rights and duties, and their obligation towards the society. Most of the State Governments, Public Sector undertakings, Central employers' and Workers' organisations and others as well, in their replies to the Committee's questionnaire as well as in their oral evidence tendered before the Committee, have urged that there is a positive need to pay more attention to the popularising of adult education amongst industrial workers as well as their families. Some of them have also given a number of suggestions as to how adult education, in order to be popular and effective, should be organised. The consensus is more in favour of intensive efforts and persuasion rather than compulsion by legislation. Some of the State Governments have said that social institutions having experience in the field of adult education such as Social Education Committees and trade-unions should make necessary efforts to eradicate illiteracy amongst workers. Factors like fatigue, lack of time, domestic circumstances, etc. may not permit all the workers to attend adult education classes regularly. Yet, there is a need for opening sufficient number of night schools staffed by trained teachers in industrial areas for imparting adult education. Number of adult education centres should be increased. They should be well-equipped and should be made more attractive for workers to take interest in the Scheme. Community Development and Education Departments of the States, with the active cooperation of the managements, should be able to share the responsibility of imparting adult education to workers. One of the State Governments have even gone to the extent of suggesting that a Central Board for Adult Education, on the lines of Central Board for Workers' Education, should be constituted to run the adult education scheme for workers. To be popular, however, it has to be purposeful and properly oriented. It has also been suggested that incentives like cash awards, priority in promotion, ex-gratia

payments, etc. may encourage the workers to attend adult education classes.

39.8. Some of the Central Employers' organisations have, however, stated that no incentives are required for the expansion of adult education amongst workers. Education is basically for psychological satisfaction. It can only be taken on one's free volition. It should not be made compulsory under law. In fact, Government should discharge its primary responsibility of imparting adult education to workers and no liability should be passed on to the industry as it will add to its financial burdens. Adult education should be considered from the point of view of efficiency and national economy as a whole. The authorities for industrial training should be made responsible for imparting and supervising adult education to workers.

39.9. The Central workers' organisations hold the opposite view. According to them, illiteracy among the workers can be removed at the initiative of employers. As in the case of Workers' Education Scheme, some educated workers can be paid for taking adult education classes during the working hours in the factory itself. While giving the views, it has been stated that in a particular large-scale industrial establishment, a condition exists in the contract of employment that no illiterate worker would be confirmed unless he joins the adult education class. Such compulsions, according to a central organisation of workers, should be considered necessary for promoting adult education. It has also been suggested that incentives to the workers in the shape of promotion, annual increment, allotment of quarters and extension of other facilities, which could be utilised for persuading the workers to have the benefit of adult education be adopted. It has also been stated that though the Schemes are drawn but hardly these are put into practice vigorously. This has resulted in making the adult education unpopular. The Scheme should be implemented systematically. The time that worker spends in adult education centres may be counted as part of duty by the employer.

39.10. Views received from some of the central workers' organisations also favour that adult education be made compulsory for all adults in the country and a beginning can be made with the industrial workers. An all India agency be created for imparting adult education. It should be made compulsory under law, as without it, the progress will be delayed and managements will take no interest in the Scheme. Views received from other organisations also emphasised the need for provision of adult education. It has been stated that pay and scales of workers should be directly linked with the educational qualifications. There should be tests for efficiency and for promotion. However, literacy amongst workers must not be equated with the mere ability to read and write, but it must be functional if it is to be worth while. They must be provided with facility for continuing education to enable them to improve their knowledge and skill, widening their outlook on life, inculcate a sense of responsibility towards their profession and improve their prospects. The reading material, both primary and follow-up, supplied

*The multipurpose institute consists of an Adult Education Centre, a Women Welfare-Cum-Children Education Centre and a children's park. At these Centres vocational training in sewing, knitting & tailoring is provided for the worker's wives & their family members. At Feeder Centre only adult education classes are held during the evening time under a temporary accommodation offered by the owners. The facilities regarding supply of newspapers and periodicals are also extended to all Feeder Centres.

to the workers, should be related as closely as possible to their daily life surroundings, profession or vocation. As recommended by the Education Commission (1964-65), a National Board of Adult Education, with its counterparts at State level, should be set up for imparting adult education among workers.

Extension of literacy among adult members of workers' families.

39.11. We have, elsewhere, in this Report, emphasised upon the fact that workers welfare cannot be divorced from the welfare of his family. It has to be a part and parcel of the total welfare of the worker's family if welfare amenities have to create any tangible impact on the outlook of the workers. We, therefore, invited the views of the parties on the desirability of extending adult education classes to the adult family members of workers as well. Some of the State Governments which have given their views in the matter, have suggested that the adult education scheme may be extended to adult members of the workers' families and they should be made conscious of the advantages of such education. They have, however, cautioned that family members of the workers can be attracted only if the workers themselves feel interested in adult education schemes. The public sector undertakings, by and large, however, do not favour extension of literacy amongst family members of the workers at this stage. Some of them feel that literacy programme for adult members of worker's family is not necessary as they might be busy in part/full time work. However, in view of stupendous nature of the problem, it would be appropriate to leave the families out of any such scheme for the time being. Our present aim should be to consider literacy among illiterate industrial workers only. For spreading literacy among the family members of the workers, voluntary social and welfare bodies should undertake this work under the supervision of the Central Social Welfare Board. Extension of literacy programme among family members is also not practicable in view of regional disparities, distance from home to place of work, etc.

31.12. The Central Employers' organisations are divided in their approach to the matter. Some feel that there is no harm in extending literacy scheme to family members of workers also, if it can be practicable and can be made a success. Others hold the view that if education is freely provided by the State, it could be imparted to every one, whether children of workers or general citizens. There is, therefore, no need of extending any scheme of spreading literacy among the adult members of workers' family. The adult education scheme should be confined only to industrial workers. The Central Workers' organisations have welcomed the proposal to extend the literacy drive to adult members of workers' families also according to a phased programme.

Role of Workers' Education Board in adult education.

39.13. The Central Workers' Education Board is already conducting some classes though for a different purpose, for industrial workers all over the country. We felt that it would be advisable to invite the views of the parties with regard to the role that could be assigned to the Workers' Education Board in any scheme of adult education.

Some of the State Governments have suggested that the Workers' Education Board can easily take up the work of adult education for industrial workers and their families. The personnel trained by the Board should be utilised for this purpose. It can also act as an agency for granting Government scholarship to deserving persons. The Board should, therefore, establish centres covering 2,000 workers or more within a radius of five miles to impart education to workers. The expenses incurred on such centres should be borne by the State and the Central Governments by matching contributions. Some of the Public Sector undertakings have also supported the view that the Central Workers' Education Board be entrusted with the responsibility of the adult education. It is already functioning in the field of education and further addition to its jobs will not be burdensome. It should be assigned the duty of training the worker teachers, who can in turn teach the illiterate workers of industrial establishments. As an organising body the Board for Workers' Education should (i) prepare syllabus and text books, (ii) train the teachers, (iii) supervise the working of adult education, (iv) review the progress of the extension of the adult education, and (v) motivate the workers by giving various incentives. It has also been suggested by some, that Board is no doubt a suitable organisation to run the adult education scheme, but it should not conduct its classes during working hours so that production is not affected. Spare time should be utilised for holding adult education classes.

39.14. The Central Employers' and Workers' Organisations too have stated that Central Board of Workers' Education which is already set up, can handle the work of eradication of illiteracy as well. No new agency should be created. The duplication of such agencies may hamper better results. It has also been suggested that the Board should run separate classes in all important centres/areas for adult education for industrial workers and their families and also grant frequent and attractive stipends to attract the workers. The Central Workers' Organisations also feel that the Central Workers' Education Board can take up this responsibility. There is lack of propaganda and publicity in regard to adult education amongst workers. The Board should act as an agency to propagate the usefulness of this scheme. It should also provide grants to trade unions in order to impart adult education among the working class.

39.15. Some of the parties including State Governments and Public Sector Undertakings, Employers' and Workers' Organisations, however, do not favour that the responsibility for adult education should be entrusted to the Workers' Education Board. According to one State Government, workers' education scheme begins at the stage where the adult education ends. The two schemes are separate and independent. The former picks up workers literate at least up to primary standard while the latter, i.e., adult education scheme envisages to educate the workers upto primary stage. As such the Workers' Education Board with its present assignment may be of little help for adult education scheme. The objects of the Board are quite different, and the staff at their disposal may not be suitable for such adult education schools. The Board should not therefore, be involved in this scheme. Some Public Sector Undertakings feel that the existing duties and the responsibilities of the Workers' Education Board are so numerous and onerous that it should not be

burdened with this additional responsibility. This work can best be organised by trade union organisations with which the employers' organisations should cooperate. Some employers' and workers' organisations also feel that as the Workers' Education Board is already implementing some programmes satisfactorily, mixing up of the adult education with the present assignments will increase the Board's workload and main purpose of setting up of the Board will be lost. Moreover, it cannot take up adult education of family members of workers, because the Board does not spread its activities to the residential areas of industrial employers.

Observations of the panel of experts on literacy set up by Planning Commission.

39.16. Only in 1964, a panel appointed by the Committee on Plan Projects of the Planning Commission went into great details of the need of eradication of illiteracy amongst workers and also the methods by which the goal can be achieved. The panel has given a very bold lead in establishing the need for spreading adult education to eradicate illiteracy. It says "that we are in a position not only to produce a larger variety of consumer goods but also to begin manufacturing capital goods. Fortunately, however, we shall not pass through the conditions of misery and demoralisation which followed the Industrial Revolution in Europe in the eighteenth century. But that is not a sufficient reason for us to remain contented or to become complacent. The social and educational conditions which prevail in the country should shake us from this lethargy. The finger of warning which Thomas Carlyle raised in England in the last century needs to be heeded by us today. He roused public opinion in England to the existence of "two nations" (rich and the poor) in one and the same country and described the industrial conditions as a "state of war" between the two. Such a war, would be, as farsighted leaders in that country felt, disastrous to society, and it was necessary to build a bridge of peace between the two". It further says that "the differences in the social, economic and intellectual standards between the rich few and the mass of workers constitutes a standing challenge to our conscience in the context of democratic socialism. Six million human-beings and their families should not be condemned to live perpetually in a state of ignorance—social backwardness".*

39.17. We are in full agreement with the sentiments expressed by the Panel in this important field of social education. We, therefore, urge on the authorities that there should be an all-out effort to eradicate the curse of illiteracy with the least possible delay, and all agencies in the field, i.e., State, employers' and the workers' organisations should coordinate their efforts to achieve this solemn objective.

Recommendations of the panel.

39.18. The Panel has made some far-reaching recommendations to solve the problem of illiteracy amongst industrial workers. Some of these recommendations are as under :—

- (i) The direct responsibility for the eradication of illiteracy among industrial workers will have to be entrusted Sectorwise to the different Ministries/Departments/Undertakings etc. with regard to laying

down a general policy and formulation of proposals with regard to the administration, financial resource, appropriate literature for different stages of literacy, supervision, inspection of the centres etc. Such an agency should be representative in character having due representation of Government, employers, workers and voluntary social and educational organisations, statutory organisations like Coal Mines, Mica Mines Welfare Organisations, Commodity Boards like Tea, etc.

- (ii) The Central Board, so created should undertake continuing surveys to find out the extent of illiteracy among industrial workers, the nature and magnitude of the problem, arrangement for necessary personnel to meet the needs and ensure necessary financial assistance to the appropriate organisations operating in the field.
- (iii) The problem of financial resources may be solved jointly by the State-Ministries concerned, namely, Education and Labour Ministries having industrial undertakings, associations of important industries like jute, cotton, textile, etc. supported by suitable allocations by the Planning Commission.
- (iv) Programmes at the pilot projects should be varied and comprehensive so that they cover as many items of general interest as possible. For example (a) cultural and recreational activities (b) exhibition of suitable films (c) literacy and post literacy classes (d) handicraft classes for adult men and women and adolescents (e) music recitals and (f) dramatic performances.
- (v) A uniform blue-print for all States, industries or cities, is not desirable. Each project should be conceived for a particular centre in keeping with local needs.
- (vi) Utilisation of the services of educated workers of the same establishment would be more fruitful. The services of voluntary workers may also be availed of. Wholtime workers with specialised training in adult education, will be preferable.
- (vii) It would not be enough to make worker literate. He must be given opportunities to become an 'educated' worker capable of appreciating nature of his job and to develop a sense of 'belonging' to the establishment.

39.19. The recommendations of the Panel which cover the workers in all the major industries of the country, namely, factory establishments, plantations and mining have yet to be accepted and implemented by the Government. The Panel also, *inter alia*, examined the question of the appropriate agency for adult education. It suggested that there is a need for an independent semi-autonomous body to be called as Central Board for Literacy among Industrial Workers, representing the Government, employers, the workers, and voluntary social and educational organisations. We are also inclined to agree with this view; we feel that it would not be possible for the Central Board of Workers'

Education to take up the work of adult education. The purpose for which the Central Board of Workers' Education has been set up is really different from the purpose of adult education and the mixing up of the two functions would not lead us anywhere, and may perhaps even hamper the proper functioning of the Board in its own sphere. It is, therefore, essential that the problems of adult education and eradication of illiteracy being stupendous, it should be entrusted to a separate body altogether.

39.20. It has been stated by certain parties in oral evidence before the Committee that adult education has not made much headway, even where honest and sincere attempts have been made by employers to either set up adult education classes on their own or to encourage the trade unions to undertake this work. The Committee also saw in its observation visits to some places that this was a fact. A number of factors are responsible for this state of affairs. It cannot be ruled out that in big cities, the workers generally live far away from their workplace and after working long shifts, they would not like to stay back for adult education classes. It is, therefore, essential that some incentives are given to workers to take up adult education. We do not favour any such incentives which may tend to create discrimination and encourage favouritism of one section of workers to the detriment of others only because a set of workers do not attend adult education classes. It would be wrong to deprive a highly skilled worker of his normal avenues for promotion on the basis that he has not been attending adult education classes. At the same time, it cannot be ignored that unless some incentives are offered, the motivational aspect does not gather momentum. We would, therefore, favour the Scheme which steers clear of all discriminations and yet provides necessary incentive to workers for adult education. The details of such incentives can be left to the autonomous agency which may be set up for the purpose.

39.21. We feel that the recommendations made by the panel of experts on literacy among industrial workers could be a good base to plan future course of action to eradicate illiteracy amongst workers and their families. The Committee, therefore, reiterates recommendations made by the Panel of Experts on Literacy among Industrial Workers set up by the Planning Commission in 1964 and emphasises the need of implementing the recommendations with a view to obtaining the envisaged objectives.

EDUCATIONAL FACILITIES FOR WORKERS' CHILDREN

Introduction

39.22. The provision of adequate educational facilities for workers' children is as important and laudable an object as it is for the community as a whole. The workers' children, however, have a prior claim for these amenities in such undertakings which are away from the urban centres and where normal rules and principles, laid down by the State Governments for providing educational institutions, cannot ordinarily be applied. That is perhaps why provision of educational facilities has been made statutorily binding on the plantation employers under the Plantations Labour Act and in the case of Coal Mines another method to

provide educational facilities has been found out by the creation of a Welfare Fund. In the case of factory establishments, which are generally nearer the centres of urban population, it is perhaps not justifiable to make the provision of educational facilities for workers' children statutorily binding on those establishments. But the need to make adequate arrangements for provision of educational facilities even to the children in manufacturing industries have now attracted considerable attention because of dispersal of industries from the main centres of urban settings.

Views of the Parties

39.23. In order to know the extent of the facilities at present obtainable to workers' children in the field of education and also for the views of the parties as to what improvements they would like to be affected in the existing arrangements, we requested the State Governments, Public Sector Undertakings, Central Employers' and Workers' Organisations and other parties to give us the benefit of their advice in the matter. The consensus of views received from the State Governments, highlights the need and importance of some arrangements to be made exclusively for the benefit of workers' children. It has been suggested that every industrial unit should institute a fund for promoting higher education amongst the workers' children by granting scholarship to those who are meritorious. It has also been suggested that the State Education Department should take initiative in setting up schools, in industrial areas for imparting free and compulsory education to workers' children.

39.24. The views received from the Public Sector Undertakings are varied. It has been suggested to the Committee that permanent accommodation for the schools with the provisions for play-grounds etc. is an imperative necessity in industrial establishments. The Public Sector Undertakings should make arrangements to impart education to the workers' children in their townships. Grants should be given to the children on means-cum-merit basis. For such students who show poor performance in the general education, pre-employment classes for occupational education and technical education should be arranged. The Government may set up English/Hindi medium schools in places where there are large industries. The State Government should help managements and Public Sector Undertakings in tackling the growing demand for expansion of educational facilities. One of the Public Sector Undertakings has stated that as these undertakings too have to run on the commercial basis, it is not advisable for them to incur heavy capital and recurring expenditure on providing educational facilities which is the responsibility of the State Governments under the Constitution.

39.25. Important Employers' Organisations, which have given their views in the matter, have stated that provision of educational facilities is entirely within the purview of the State Governments and they should initiate measures consistent with their educational programmes. The Central Workers' Organisations have emphasised the fact that it is the duty of the employers to provide educational facilities to the children of their workers. Employers who have no schools of their own should pay tuition fees and other connected expenses for the education of their children in other schools. Educational facilities to workers'

children should be provided by legislation. Nothing works without legislative measures in these matters. If a statutory labour welfare fund is to be set up, bulk of this fund should be earmarked for the educational need of workers' children and for providing free education up to college level. Managements should provide subsidised hostels for workers' children. Employers who employ more than 200 workers, should run their own schools and provide free education, uniform etc., to children. Reservation of seats for the children of such employees who are liable to frequent transfers should be made in Government schools. More educational facilities should be extended to the children of low-paid workers. It has also been suggested to the Committee by some of the parties that technical training schools should be opened to impart purposeful education to the employees' children. The present and future educational facilities should be so improved as to encourage initiative, creativity and experimentation on large scale so that the children are able to keep themselves abreast of times. The present trend of education for white collared jobs should be stopped and the curriculum for the workers' children should be so framed that they may be gainfully employed and also meet the future requirements of the industries. We have also been told that trade unions too should come forward and take lead in providing educational facilities to workers' children. The accumulated sums of unpaid wages and fines too may be utilised for educational needs of the children of low paid workers.

Position in Law

39.26. In so far as provision of educational facilities for the workers' children is concerned, no industry except Plantations, is under an obligation to provide educational facilities in the matter. Section 14 of the Plantations Labour Act, inter-alia, lays down that "where the children between the ages of 6 and 12, of workers employed in any plantation, exceed 25 in number, the State Government may make rules requiring every employer to provide educational facilities for the children in such manner and of such standard as may be prescribed". Various State Governments have framed rules under the Act. These rules generally give exemptions to plantations from providing a primary school if there is a school run by the State Government or by the Local Body for imparting free education within a distance of one mile. In the case of Kerala Government, this distance is two miles. The rules also prescribe standards of educational facilities, number of teachers to be appointed, their qualifications etc. In the case of manufacturing industries, no such statutory provision exists. Same is the case in respect of mining establishments.

Position as revealed by the survey of labour conditions.

39.27. A Survey of educational facilities, available to workers' children, was conducted alongwith the survey of other welfare amenities, by Labour Bureau Simla, in 46 industries during 1960-66. Although the sample for the Survey differed from industry to industry, it had a coverage both of the large scale and small scale units in each industry. The position revealed by the Survey in some of the major industries is given below :—

Cotton Textile Factories

39.28. Out of the Sampled units, only 7.1 percent of the employers had provided educational facilities. 63.1 percent of these had primary schools, 12.1 middle or lower middle schools, 21.8 percent high schools for higher secondary education. College education had been provided by 3 percent of the employers. The number of children who were being benefitted by these facilities was not brought out in the Survey.

Jute Factories

39.29. 79 percent of the employer of the Sample units, in West Bengal had provided educational facilities. As regards the standard of education, 60 percent had established primary schools, 12 percent middle schools and 21 percent high-schools for secondary education. The number of children benefitted by these facilities was reported to be in the neighbourhood of 15,000.

Cement

39.30. All the large and about 25 percent of the small site sampled establishments had provided schools for the children of their employees. In small factories, however, only primary and high schools had been provided. No college had been opened by the industries. About 10,564 students were receiving education in those schools.

Plantations (Tea)

39.31. The Survey revealed that nearly 71% of tea estates employed children in the country. The percentage was higher in West Bengal, Assam and Tripura. It was 84% in West Bengal and 80% in Assam and Tripura respectively followed by 35% in Southern India. Provision of educational facilities to workers' children is a statutory obligation under the Plantations Labour Act 1951. The Survey revealed that except in Assam, 66% of the Sampled estates had provided educational facilities; in Assam it was 75%.

(Rubber)

39.32. The sampled units survey revealed that almost 100% had provided educational facilities to the children but only 14% were being provided by the employers and the remaining 86% by the Government. The facilities provided were upto primary level only.

(Coffee)

39.33. Only 4% of the employers in the Sampled Units were providing primary education.

Coal mines.

39.34. Schools for providing education to workers' children existed in 20 percent of the coal mines in the country. The percentage of schooling facilities for children of miners engaged in large mines was 41% and those of children of miners engaged in small mines was 12%. This Survey also revealed that 87% of the such large mines as were providing educational facilities for miners, children had set up primary schools only.

Railways.

39.35. Nearly 64% of the workshops had provided educational facilities for workers'

children. The proportion of children in big units was higher than in small ones. 56% of the workshops had provided primary schools and about 20% upto middle standard. The remaining workshops, besides primary or middle schools, had higher secondary schools as well. Nearly 38,000 students were receiving education in all these institutions. Apart from these institutional facilities, in most of the cases, no tuition fee was charged from the children of the employees particularly at the primary level. In the case of middle and secondary standards, however, the practice differed from one workshop to another. Besides assistance in the form of scholarships, aid for books was given to the deserving students. Where the railways had not established their own schools, regular subsidy was given to some other schools in the area where children of railway employees were studying.

Existing position.

39.36. Replies received from most of the parties to whom the Committee's questionnaire was sent, indicate that even though provision of educational facilities for workers' children is not statutorily binding in manufacturing and mining establishments, a sizeable number of employers in manufacturing industries, have provided educational facilities, for the workers' children, in varying degrees, in their townships or labour colonies. Almost all the public sector undertakings have established primary and even higher secondary schools in their townships. Some of the large scale private sector undertakings have even established colleges in their townships both for catering to the need of workers' children in general education as well as for technical education. The employers are also subsidising the cost of books and paying scholarships to deserving students. In some cases tuition fees to the employees' children is re-imbursed either in full or in part. Some of the undertakings are subsidising the cost of transport in the case of employees' children where the children have to go at a distance from the townships to schools in the cities. In case of mining establishments, large mines are providing some amenities, though not on the same scale as the manufacturing establishments have done. In the case of coal and mica mines, considerable efforts for providing educational facilities or giving scholarships etc. are being made by the Coal Mines Labour Welfare Fund and the Mica Mines Labour Welfare Fund. The details of the efforts made by these funds have been given in Part IV of our Report which deals with Mining Industry. The progress of educational facilities in respect of Plantations Industry, where it is statutorily binding on employers, has also been dealt with in Part V of our Report relating to Plantations Industry.

39.37. The general attitude of the employers both in manufacturing and mining industries where the provision of educational facilities to workers' children is not obligatory, is that it is primarily the business of the State to provide both primary and secondary educational facilities to workers' children as in the case of citizens. The employers would continue to do their best in the field, within their capacity to pay and of their own volition.

Our views.

39.38. We have given considerable thought to the proper provision of educational facilities for

workers' children. There cannot be two opinions on the fact that provision of education is the primary responsibility of the State whether it is for citizens at large or for the benefit of particular sections of the general population keeping in view the particular situations in which the children of main bread earners are placed. It also cannot be disputed that certain sections of the budding citizens of this country should not be placed at a disadvantage as compared to their counterparts only because their parents happen to be low paid or their place of work is not within a manageable distance from the main urban settings. To the extent the children of industrial workers suffer from such disabilities, they have a claim for special compensation as compared to other citizens. The efforts of employers apart, we feel that the State Governments must also come forward to open more schools in areas of industrial concentration and they should also consider the possibility of relaxation of their rules even at places where the number of students fall below the minimum number prescribed for the opening of such schools.

39.39. It has come to the notice of the Committee that in some States educational cess is levied. Even the local bodies like Panchayats also collect educational cess from industrial establishments including plantations and mines. While we can understand the collection of some sort of cess to augment the revenues of the State or of the local bodies from such establishments which are not under any statutory obligation to provide educational facilities to workers' children and they are provided by the State, we feel that it is not justified to collect any cess from such employers who are under statutory obligation to provide educational facilities to the children of their workers. We, therefore, recommend that where provision of educational facilities is the statutory responsibility of the employers to their employees, the educational cess so collected from the concerned areas should be reimbursed to those establishments to enable them to enhance their educational facilities.

39.40. The replies received from responding parties indicate that the practice of giving stipends and other concessions such as subsidised educational facilities by way of grants for books and mid-day meals for the children differs from industry to industry and from place to place. The Committee notes with satisfaction, the efforts made by various employers in this direction. During the course of its tours to various States, and the evidence tendered before the Committee, many employers and workers testified to the fact that the provision of those amenities not only lessen the burden of the workers but also create a better understanding between employers and the workers. Some of the employers also stated that they provided these amenities because they believed that providing educational facilities to the children of workers was welfare amenity which would go a long way in improving even the outlook of the parents in due course of time. It was in fact an investment which was self-rewarding, psychologically to the employers and economically both to the workers and to the nation.

39.41. The Survey of Labour Conditions and the impressions gained by the Committee during its tours to States and Union Territories has however, revealed that a majority of the undertakings have not done much in the field of education.

They are not required to do so statutorily. Each institution is also not required to open a school for children of workers. There are various ways in which the employers can encourage the workers, children to take to education. We consider that it would lead to better man-management relationship if industrial establishments take more effective and sustained interest in encouraging workers' children to enhance their educational attainments.

39.42. The efforts of the employers in the provision of educational facilities to workers' children in coal mines, are supplemented by the Coal Mines Labour Welfare Fund. One of the activities of the Fund as laid down under the Act is the provision and improvement of educational facilities. According to information made available to the Committee, the Fund pays monthly grant in aid to some schools in some coal-fields. It also pays non-recurring grants to primary schools located in coal-field areas for purchase of furniture, equipment, teaching appliances and books for library etc. It also pays non-recurring grants towards construction of primary schools' buildings to the extent of Rs. 6,000 in each case.

39.43. In the case of non-coal mines, such facility exists only for mica and iron ore mines. The other mining establishments are not in that happy position as to get subsidies, grants or even any other kind of help from any special fund created for the purpose. We have, in Part IV of our Report, dealt with in greater detail, the need for setting a similar fund as exists for coal mines to cover all minerals to cater to various requirements and welfare amenities for mining workers. We feel that creation of such a Fund would go a long way and also augment the resources of the employers in providing educational facilities to workers' children. The Fund and employers can pool their resources together to provide adequate educational facilities for workers' children.

39.44. We have so far discussed the part that the employers can play in providing educational facilities to workers' children. This is a field where organised trade unions can also play a considerable role. This does not mean that trade unions are not paying any attention to this aspect. Some of them are already either directly encouraging workers to send their children to schools or provide indirect help in the sense that they have been continuously impressing upon the employers and the State to provide more and better facilities for workers' children. Much more can, however, be done in this field by the trade unions, provided they take more active and sustained interest in the matter. The Committee feels that as the schools are primarily for the benefit of the children of the workers, the trade unions, should also actively participate in the efficient running of the institutions.

39.45. Instances are not lacking where educational career of many a brilliant child has been cut short because the parents have not been able to afford expenses of higher education or the parents needed the children to augment the income of the family. Nothing much can perhaps be done by anybody in the latter case. Such cases where parents are willing to send their children for higher education, some efforts have got to be made by the Society in the matter. Though various merit scholarship schemes are in vogue in the country, they are not adequate to meet the requirements of the situation. We, therefore, recommend that employers and the trade unions may jointly undertake to provide scholarships to such meritorious children of workers. If necessary, funds could be raised through contribution by workers and employers to a common Fund made for this purpose at the unit level.

39.46. There has been an increasing trend in our economic planning for rectifying the regional imbalances in economic development and in restoring parties between different regions economically as well as socially. This has resulted in dispersal of industries from region to region in States. The dispersal has also been necessitated by the planning undertaken by certain local authorities to reduce congestion in or near metropolitan and big cities for a variety of reasons. These policies have resulted in the location of industries in areas which are away from the main urban settings. While plans for dispersal of industries have been undertaken and executed, there has been no corresponding effort on the part of other administrative agencies to have an integrated approach towards the problem of social services arising out of these plans. The children of a considerable number of workers are, therefore, put to hardship where no educational institutions are nearby the new industries. In public sector undertakings, which have generally opened new areas for creating more avenues of employment and economic activity, efforts have been made to considerable extent to provide primary and secondary educational facilities. But facilities for higher education have been tackled by very few. We, therefore, feel that the State Governments should formulate an integrated plan to provide primary and secondary educational facilities, wherever any dispersal of industries is contemplated by the State Governments. We also recommend that where these institutions cannot be opened by the State it should run subsidised transport services for the benefit of the workers' children to enable them to avail these educational facilities adequately. We are confident of the fact that employers too would not be lagging in doing their best in this matter. We, therefore, recommend that the employers should also consider the possibility of providing these facilities voluntarily.

CHAPTER XL

RETIRAL BENEFITS, GRATUITY AND PROVIDENT FUND

40.1. We have, in Chapter I of our Report stated that in our opinion the term 'labour welfare' should also include social security measures. Hitherto, social security measures, though forming part of the larger genesis of welfare facilities/amenities for the workers, have been dealt with separately and not included in the conventionally understood welfare amenities namely provision of good working conditions inside the work-place and provision of facilities like medical aid, recreation, education etc. We are convinced that labour welfare will not be complete if what are known as social security measures are also not dealt with as an integral part of labour welfare amenities available to the workers. It is only after social security measures have been integrated with the other labour welfare measures that one can have an exact evaluation of the benefits which worker gets over and above the wages that he is given for the work that he does. We feel that the artificial division between welfare amenities and social security ought to be removed.

40.2. At all times, in every form of society and at every stage of development, there have been sick people needing care, handicapped and old people unable to work for the living, and children to be brought up and educated. Human societies have, therefore, always to cope with problems of this kind and in doing so they have naturally been guided at all times by the prevailing ideology and social order. The concept of social security has developed all over the world over the last 75 years. It has now been universally recognised that all persons in society need protection against loss of income due to unemployment arising out of incapacity to work due to invalidity, old age etc. For the wage earning population, security of income, when the worker becomes old or infirm, is of consequential importance. The benefits available under these conditions are known as retiral benefits.

40.3. Retiral benefits form an integral part of social security but in a country like ours where the system of social security has not yet developed on a national scale and where a large mass of wage earners are still out of the purview of the provisions of social security measures, retiral benefits like gratuity, provident fund and pension (known as triple benefits) assume special importance.

40.4. With a view to understand the problem of providing this important measure to Indian workers, it has been found necessary to have a comprehensive review of the role played by the I. L. O. in developing social security measures, the practices prevailing in foreign countries as well as the existing law and practice in our country.

Role of the I.L.O.

40.5. The ILO has, since its inception, recognised the need for providing social security mea-

asures to workers all over the world, and in pursuance of this has so far adopted 26 Conventions on the subject. Of these, India has ratified four Conventions* (i.e. Nos. 18, 19, 42 and 118), three of these relate to workmen's compensation. Of the remaining 22 unratified Conventions, 5 Conventions relate to agriculture and another 5 to Seafarers.

40.6. Of the 26 Social Security Conventions mentioned above, Convention No. 102 concerning Minimum Standards of Social Security is very important. It is a comprehensive instrument covering branches of social security and providing for minimum standards in respect of benefits payable in large number of contingencies like sickness, unemployment, old age, death, employment injury, maternity, invalidity etc. The Convention provides for restricted coverage even in respect of sufficiently developed economics and allows ratification in parts. Though India is not yet sufficiently developed economically it has now been possible for India to ratify the Convention as the benefits provided to industrial workers under the Employees' State Insurance Scheme do not come up to the permissible minimum standards prescribed, particularly in respect of coverage and scale of benefits regarding medical care. The latest Convention No. 128 concerning invalidity, old age and survivor's benefits revises the earlier Conventions and consolidates them into one comprehensive Convention. The Convention lays down that persons protected shall comprise of all employees including apprentices; or 75% of the economically active population; or all residents or residents whose means during the contingency do not exceed limits prescribed in case of invalidity benefits. For old age benefits, the Convention lays down that a person will be protected, who has completed prior to the contingency a qualifying period which may be 30 years of contribution or employment or 20 years of residence; or all economically active persons are protected, who have completed a prescribed qualifying period of contribution and in respect of whom, while he was of working age, the prescribed yearly average number of contributions has been paid. In the case of survivor's benefits, the persons protected should comprise the wives, children and other dependents of all bread-winners who were employees or apprentices; or wives, children and as many other dependents as prescribed in prescribed classes of the economically active population which classes constitute not less than 75% of the whole economically active population. The Convention lays down certain standards of benefits to be complied with by periodical payments i.e., certain percentage of the earning to be given for invalidity, old age and survivor's benefits.

Practice in Foreign Countries (U.K.)

40.7. U.K. is said to be the home of social security measures. The most important and com-

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- * 1. Convention No. 18 : Workmen's Compensation (Occupational diseases).
 - 2. Convention No. 19 : Equality of Treatment (Accident Compensation).
 - 3. Convention No. 42 : Workmen's Compensation (Occupational Diseases).
 - 4. Convention No. 118 : Equality of Treatment (Social Security).

prehensive Social Security Scheme known as 'Beveridge Plan' was introduced in that country. An inter-departmental Committee on Social Insurance and Allied Services was set up there in June, 1941 with Sir William Beveridge as its Chairman. The committee covered a wide range of subject and traced the development of social security measures in the United Kingdom right from the days of Poor Law, which was enacted at the time of Queen Elizabeth I. The committee laid down three guiding principles of its recommendation. It was stated that organisation of social insurance should be treated as one part only of a comprehensive policy of social progress. "Social insurance, fully developed, may provide security; it is an attack upon Wants. But Want is only one of five giants on the road of reconstruction and in some ways the easiest to attack. The others are disease, ignorance, squalor and idleness—Social security must be achieved by cooperation between the State and the individual. The State should offer security for services and contribution. In organising security the State should not stifle incentive, opportunity, responsibility, in establishing a national minimum it should leave room and encouragement for voluntary action by each individual to provide more than that minimum for himself and his family". It was further stated by this committee that a plan for social security is built upon these principles. It uses experience but is not tied by experience....."

40.8. As a result of the recommendations of this important committee in the field of insurance and allied services, a number of schemes operate now in UK. These include work injury, unemployment, invalidity, old age, survivor's benefits and family allowances have been provided by legislation, not only to employees or workmen but to self-employed persons as well. Some of the benefits are paid out of the joint contribution of workers and employers whereas the Government meets the whole cost in the case of Family Allowances. The scheme of retiral benefits covers all residents. Options has, however, been given to married women, self-employed and non-employed persons whose income is below £250 a year. Work injury benefits are available to all employees, self-employed persons, and public employees have equal protection. Universal pensions are given to all resident citizens and aliens covered by reciprocity agreements in the case of old age, invalidity and death. The contribution by employees in the case of old age, invalidity and death benefit is made according to a prescribed rate which is about 10s 2½d (for men) per week.

U. S. A.

40.9. The foundations for social security were laid down in U. S. A. in the New Deal Policy of the late President Roosevelt. The present day legislation based on social security system in that country owes its existence to the social security Act of 1934 as amended from time to time. This Act sets out the provisions of Old Age and Survivors Insurance Programme. The Act has been amended a number of times to make the provision of social security system more extensive in character and content. This Programme includes Old Age and Survivors benefits, retirement benefits, disability benefits, lump sum death payments, etc.

New Zealand

40.10. In New Zealand, all residents or residents of limited income are covered under a universal pension and social assistance system. The insured persons are required to contribute 7.5% of gross income less minor income exemptions; employers are required to pay 7.5% of net income payable by corporations.

Sweden

40.11. All resident citizens and aliens covered by reciprocity agreements as well as all employed and self-employed persons earning over base amount* are covered for supplementary pensions. However, self-employed persons may opt not to be covered under the scheme. The insured persons for purposes of universal pensions are required to contribute 4% of income payable by all tax-payers subject to a maximum tax of 1200 crowns a year. For supplementary pensions, employees are not required to pay anything. the contribution by employers for universal pensions is nil. In the case of supplementary pensions employees are required to pay 8.5% wages of each employee between the base amount (crown 5600) and 7½ times of the base amount 42,000 crowns a year. The Government meets about 70% of the cost of universal pensions.

U.A.R.

40.12. In U.A.R., all employees in industry and commerce excluding agricultural and domestic services are covered under the Provident Fund and Insurance Pension Law. The insured persons are required to contribute 8% of their earnings, the employers 14% of the pay roll but the Government do not contribute anything.

Australia.

40.13. In Australia, all residents with limited income are eligible for old age and invalidity pension. The whole cost is met by the Government. For purposes of work injury, all employed persons excluding employees earning above 4,000 dollars a year are provided with benefits. Also casual employees, outworkers and share fishermen are usually excluded. The insured persons are not required to contribute anything nor the Government. The whole cost is met by the employers through insurance premiums varying with risks.

Japan.

40.14. The social security system in Japan consists of (i) the Welfare Pension Insurance Scheme covering manual and non-manual workers in private establishments employing not less than 5 workers; (ii) various pensions and mutual aid association schemes for national and local Government staff employees, (iii) mutual aid association schemes separately organised for public corporation employees, private school teachers and employees, the staffs of agricultural, forestry and fishery co-operatives and allied societies; (iv) the Seamen's Insurance Scheme; and (v) The National Pension Scheme, covering all persons not protected under any one of the pension schemes mentioned above. In the first four categories, more than 75% of paid employees in all industries are covered. On the other hand, about 24,650,000 persons were covered under the scope of the Contributory National Pension Scheme and about 25,000,000 persons received

*Base amount is equal of 5,600 crowns a year.

non-contributory benefits under the same Scheme. Besides* these, a public assistance scheme was set up in 1946 as a second line of defence against poverty to provide benefits to persons whose need is clearly established.** Persons protected by the public assistance scheme fall into 3 categories: (i) those who are incapable of earning their living, such as the aged, the permanently disabled, the weak-minded and widowed mothers; (ii) those whose need results from prolonged sickness or invalidity; and (iii) those whose income is too low to maintain themselves and their families although they are gainfully occupied in many cases as casual workers or self-employed with small means.

U.S.S.R.

40.14(a). According to the Constitution of U.S.S.R., social security benefits are available to all Soviet citizens without exception regardless of nationality, place, sex or religious creed. Foreign citizens also, who work in the Soviet Union, and their families are entitled to these benefits subject to certain conditions. Under Sickness and Maternity Benefits Scheme, medical care is extended to all residents, but cash benefits are payable to the employed persons and students only. Under the Work Injury Benefit Scheme, medical care is available to all residents but cash benefits to a limited category of persons.

The insured persons are not required to pay any fee or make contribution. Generally, the State bears the total cost of social security measures. However, in some cases and for certain types of benefits the employers are required to make a small contribution ranging from 4.4 per cent to 9 per cent of the pay-roll, which differs from industry to industry.

There are special care programmes for old age, and effort is made to keep old persons in comfort. On an average, pension in the U.S.S.R. amounts to 60 to 70% of one's wages or salary but many working people receive pension equal to their former wages. All pensions are tax-free. In the case of certain special categories of workers, special pension rules exist which provide for even cent per cent pension, particularly if the workers are engaged in noxious or arduous work. In 1967, the Government allocated some 11,200 million roubles for pension. On the whole, 10% of the national income is spent on social security measures.†

Hungary.

40.14(b). The social insurance system of Hungary includes benefits against old age, invalidity and death and covers all employees, members of handicraft cooperatives and students. There is a special system to cover members of agricultural cooperatives. Besides, under the Scheme of Maternity Benefit and Work Injury all employed persons are given protection.

The insured persons have to contribute a small percentage of their income, which ranges from 3 to 5% subject to maximum of 10% in certain cases. For example, a worker has to contribute 3% if he gets 1800 Frontis or less a month; 4% if he draws 1801-2300 Frontis; 5% if between 2301 to 3000 Frontis. Additional one per cent contribution has to be made for income exceeding every 1,000 Frontis over and above this limit subject to a maximum of 10% only. The employers are required to contribute 10% of the pay roll. The rest of the cost is contributed by the Government. In the case of Government employees, the total expenses are met by the Government itself.

Poland.

40.14(c). The Polish social insurance system in respect of old age, invalidity and death cover all the employees, apprentices, members of handicraft cooperatives and home workers. Special system exists to cover miners, rail-road employees, members of agricultural cooperatives and self-employed artisans.

The Sickness and Maternity Benefit Scheme covers all these categories of workers. Similar is the position with regard to work Injury Schemes.

The insured persons are not required to pay contribution to the Social Security Fund. Employers contribute 30% of pay-roll if it is private non-agricultural undertaking, 18% if private agricultural undertaking, 15.5% if nationalised non-agricultural undertaking, and 10% if nationalised agricultural undertaking.

Czechoslovakia.

40.14(d). In Czechoslovakia, under social insurance system benefits are available against old age, invalidity and death and these are applicable to all, employees, members of industrial production cooperatives, advanced students and artists.

The Sickness and Maternity Benefit Scheme under Dual Social Insurance (Cash Benefits) and Public Service (Medical Care) system covers all the above categories excepting a few. The insured persons are not required to contribute anything. Employees contribute 10% and 15% of pay roll in nationalised and private enterprises respectively. The Government bears the whole cost of medical services.

Work injury benefits are available to all employees including members of industrial production cooperatives. There are special systems for members of agricultural cooperatives and for farmers and other self-employed persons. The insured persons are not required to bear any expenditure on this account. In the case of temporary incapacity, the employers are required to bear the total cost, but Government meets all the expenses in the

*Figures related to 1960.

** The scheme provides the following seven benefits: (1) living aid (general relief) to meet the needs of daily life; (2) educational aid to assist those financially unable to comply with the compulsory education legislation; (3) housing aid to assist those who cannot pay their rent or make necessary repairs; (4) medical aid; (5) maternity aid; (6) occupational aid to provide for vocational training; and (7) funeral aid. With the exception of medical care, all these are cash benefits, and several may be provided concurrently. They are designed to raise the income of needy persons up to a minimum standard of living set by the Ministry of Welfare and their actual level varies by regions.

† "Cost of Social Security". ILO—1967 (P. 01).

case of permanent disability survivors' pension and of medical care.
Social security cost to national income.

40.15. Social Security systems have developed during the last decade and they generally provide for universal coverage. Efforts have been made to improve the quality and coverage progressively, in all these countries. The expenditure on social security as a percentage of national income in the countries referred to above is—United Kingdom : 11.8% ; USA : 6.5% ; New Zealand : 12.6% ; Sweden : 13.8% ; Australia : 8.2% ; Japan : 5.4% ; USSR : 10.2% ; Hungary : 9.6% ; Poland : 9.7% ; Czechoslovakia : 16.7%.*

Position in India.

40.15(a). Social Security measures to protect industrial workers against sickness, old age, invalidity, unemployment, etc. are of recent origin in our country. Before Independence, legislation in this field consisted only of the Workmen's Compensation Act, 1923 and a few provincial enactments on maternity benefits. Since 1947, the country has made much progress in social legislation. The following enactments are in force at present :—

- (i) The Workmen's Compensation Act, 1923 ;
- (ii) The Central Maternity Benefit Act, 1961 and State enactments on the subject ;
- (iii) The Employees State Insurance Act, 1948 ;
- (iv) The Coal Mines Provident Fund and Bonus Schemes Act, 1948 ;
- (v) The Employees' Provident Funds Act, 1952 ;
- (vi) The Assam Tea Plantations Provident Fund Scheme Act, 1955 ; and
- (vii) The Seamen's Provident Fund Act, 1966.

40.16. In addition to these Acts, departmental rules and regulations exist for providing social security benefits to the public servants which cover Central and State Government employees (including Railways, Posts and Telegraphs and Communications) and employees of Quasi-Government and local bodies.

40.17. The first three Acts provide income security to workers in the case of invalidity arising out of accident or temporary unemployment due to maternity. The Employees' State Insurance Act, 1948 is a very comprehensive scheme and is applicable to power using factories employing 20 persons or more and covers all persons earning Rs. 500 and less per month. At present, about 3.2 million workers are covered under this scheme. The scheme is contributory in nature but an employee whose average daily wages are Rs. 1.50 or below is not to make any contributions. In such cases, employer has to contribute at the rate of Rs. 0.45. The details of the scheme have been given in Chapter II (Part II of the Report).

Retiral benefits.

40.18. The Scheme of Gratuity is prevalent in a good number of industries especially manu-

facturing industries and plantations. The quantum, the mode of payment etc. are generally governed by agreements between employers and workers, recommendations of the Wage Boards set up for various industries from time to time or administrative orders issued in the case of departmental and public sector undertakings. These agreements and orders also contain the basis on which the worker can be deprived of the payment of a part or full amount of gratuity due to him.

40.19. The practice with regard to quantum and the number of years put in by a worker before he becomes eligible to receive gratuity differs from industry to industry and even from area to area.

40.20. The Provident Fund is another form of Retiral Benefits but this is contributory in the sense that besides putting in service, a worker has also to contribute a part of his wages, unlike gratuity where all the financial impact is on the employer. The Scheme of Provident Fund has, till now, made a good headway and large number of workers have been brought within the purview of the Employees' Provident Fund Act 1952, as also its counterpart for Coal Industry namely the Coal Mines Provident Fund and Bonus Schemes Act 1948. The tea plantation workers in Assam, receive the benefit of Provident Fund through the Assam Tea Plantations Provident Scheme Act 1955.

40.21. The coverage though significant, has not been universal so far taking into consideration the total number of workers employed in an industry, a large section of the working population has till not been benefited by the Retiral Benefits. We have therefore, attempted to evaluate the existing schemes in operation both in private and public sector industries to suggest measures both to cover larger number of workers as also to streamline the working of the existing spheres. The Committee accordingly issued a circular to important industrial groups requesting them to send the details of Gratuity Schemes obtainable in their industries to have an idea of the existing scheme. In the succeeding paragraphs, we have discussed details of particular scheme and then tried to come to a conclusion which, in our opinion, could be made applicable universally to all industries and not left to the chance of agreements, decisions of the Wage Boards or executive orders. No Schemes of Old Age Pension for workers are at present in vogue in Industry in the country. Some suggestions have been received by us in the matter from some State Governments as well.

Review of the existing schemes in private sector.

40.22. In response to our supplementary questionnaire information have been received in respect of 155 industrial units pertaining to cotton textile, jute, cement, sugar, chemicals and food products, engineering, petroleum, paper, potteries and fire-clay, match and plantations industries.

40.23. The information contained in the succeeding paragraphs regarding prevalent practices of payment of Gratuity for various industries, is based on the replies received by the Committee from Central Employers' Organisations as also from some of the workers' organisations. Information contained in the Survey of Labour Conditions (Labour Bureau,

*The above statistics are from ILO publication, "The Cost of Social Security 1967, The figures relate to the years 1962-63. (Pages 296 to 309.)

Simla) has also been utilized. The information with regard to various industries is, therefore, not exhaustive. It is illustrative and is limited to the sources referred to above.

40.24. As regards public sector undertakings, a uniform scheme for payment of gratuity was formulated by the Ministry of Finance, Government of India in April, 1965 consequent upon the recommendations of the Estimates Committee of Parliament, which observed that "it is noted that the public undertakings are not following a uniform policy in regard to the retirement benefits available to their employees. The Committee recommends that Government may undertake a comprehensive review of the position in various public undertakings with a view to ensuring uniformity in this regard."

40.25. The Committee did not receive any information from mining establishments with regard to the practices obtainable there in for payment of gratuity to their workers. We had sent out letters to all the Central Employers' Organisations to whom mining associations in the country are also affiliated; but in the replies received by us no mention has been made of the mining establishments. Some information was available in respect of Coal Mining Industry on the basis of Survey of Labour Conditions conducted by Labour Bureau. The sum and substance of results of the Survey have been incorporated in this Chapter.

Cotton textile industry.

40.26. Workers in Cotton Textile Industry in Bombay and Ahmedabad, receive gratuity as a result of the awards of the Industrial Court, Bombay. According to these awards, the employers pay gratuity to operatives on the scale laid down below :—

1. On the death of an employee while in the service of the company—one month's basic wages for each completed year of service.
2. On voluntary retirement or resignation of an employee after 15 years' continuous service in the company on the same scale as in (1) above.
3. On termination of service by the company :—
 - (a) After 10 years' continuous service but less than 15 years' service in the company— $\frac{1}{2}$ of one month's salary for each year of service.
 - (b) After 15 years' continuous service—15 months' salary.

40.27. Separate gratuity schemes for the clerks and technical staff have come into existence in the cotton textile mills of Ahmedabad in terms of an agreement and in Bombay as a result of the awards of Industrial Court. The scales and conditions for payment in both these cases are the same as applicable to the operatives stated above.

40.28. The gratuity schemes prevailing in the cotton textile mills of Madhya Pradesh broadly conform to the schemes as applicable to the Bombay cotton textile employees. The only difference is that in the M. P. Schemes there is no provision

for payment of gratuity on the termination of service by the employer.

40.29. Gratuity schemes came into force in certain textile mills at Coimbatore as a result of an award by Industrial Tribunal Madras in 1962. According to the award, the employers pay gratuity on the scale given below :—

1. On the death of an employee while in the service or when he is physically or mentally incapacitated, irrespective of the length of service at the rate of one month's basic wages for each completed year of service.
2. On the employee's voluntarily retiring or resigning after 15 completed years of service the following scales are applicable : .

For 5—10 completed years of service $\frac{1}{2}$ a month's basic wages for each year.

For 11—15 completed years of service $\frac{3}{4}$ th " " "

After 15 completed years of service 1 month's basic wages for each year

In no case gratuity should exceed a maximum to 20 months' basic wages.

Jute industry.

40.30. In West Bengal, gratuity is allowed to operatives and clerks employed in Jute textile Mills in terms of an award published in the Calcutta Gazette of August 31, 1948. According to this award, the employers pay gratuity as applicable to reasons or conditions as stated below :—

- (a) On retirement or resignation or on termination of service by the employer by way of retrenchment after continuous service for not less than 15 years.
- (b) On retirement before completing 15 years' service by reason of superannuation or on medical grounds or on termination of services by the employer by way of retrenchment or owing to any other sufficient cause approved by the employer.
- (c) On death.

The rate of payment is half a month's basic wages for every year of service for the period not covered by the Provident Fund which was introduced by the Industry in the year 1949.

40.31. The basis of calculating the gratuity is the average basic wages not including the overtime wages or any allowances, bonuses or other benefits during the last 12 months' service, inclusive of authorised leave on full wages.

Cement industry.

40.32. A study of gratuity schemes prevailing in 31 cement units reveals that 22 schemes have been introduced voluntarily, 6 schemes under agreement and 3 under awards. These schemes provide gratuity at varying rates for varying period of service. The majority of the schemes prescribe a qualifying period of 15 years' service.

40.33. The Associated Cement Company, which owns and controls 16 cement works, has two gratuity schemes introduced voluntarily, one for

daily-rated workmen and the other for monthly-paid staff.

40.34. According to the gratuity rules, daily rated workers get $\frac{1}{4}$ of a month's basic wages for each completed year of service, provided that in case of any employee whose services are terminated by the Company on reaching the age of 60 years, such employee is entitled to an amount equal to one month's basic wages for each completed year of service (subject to a maximum of 15 months' basic wages) or an amount equal to $\frac{1}{4}$ ths of a month's wages for each completed year of service, whichever is higher.

40.35. The scale of gratuity in respect of monthly paid employees whose salary does not exceed Rs. 500/- per month is $\frac{1}{4}$ ths of a month's salary for each completed year of service provided that in case of any employee whose services are terminated by the Company on his reaching the age of 60 years, such employees are entitled to an amount equal to one month's for each completed year of service (subject to a maximum of 15 months' salary) or an amount equal to $\frac{1}{4}$ th of a month's salary for each completed year of service whichever is higher.

(b) Employees on Monthly Pay Roll whose salary exceeds Rs. 500/- are entitled to gratuity according to the under-mentioned scales :—

On the first Rs. 500 of the monthly salary.	75% of the month's salary for each completed year of service.
On the next Rs. 500 of the monthly salary.	62½% of the month's salary for each completed year of service.
On the next Rs. 1,000 of the monthly salary.	50% of the month's salary for each completed year of service.
On the balance of the monthly salary.	37% of the month's salary for each completed year of service.

40.36. In the remaining 13 cement factories under study the maximum amount of gratuity ranges from 12 months' basic salary to 20 months' basic salary and in respect of 2 cement companies, no such information is available.

Sugar Industry.

40.37. The Central Wage Board for the Sugar Industry recommended in 1960 a gratuity scheme for all vacuum-pan sugar factories. The scheme known as Sugar Industry Workmen's Gratuity Scheme came into force with effect from November 1, 1960. The scheme applies to all permanent and seasonal workmen. The scale of gratuity under this scheme is as follows :—

- | | |
|---|--|
| (a) On death while in employment irrespective of the length of service. | $\frac{1}{4}$ of a month's pay to a permanent and one fourth of a month's pay to a seasonal workmen for every continuous year or season of service as the case may be, subject to a maximum of 15 months' pay. |
| (b) On attainment of age of superannuation. | |
| (c) On retirement or resignation due to continued ill-health. | |

(d) On resignation or on termination of employment for any reason other than serious misconduct.

(i) For the period prior to enforcement of this scheme on completion of term but less than thirty years or season's continuous service, as the case may be, one-third of a month's pay to a permanent and one-sixth of the month's pay to a seasonal workmen for every continuous year or season of service, as the case may be.

(ii) For the period subsequent to the enforcement of this scheme on completion of ten years' or season's but less than twenty years' or season's service one-fourth of the monthly pay to a permanent and one-eighth to a seasonal workman for every completed year or season of service and on completion of 20 years' or season's of service but less than 30 years—one-third of monthly pay to a permanent and one-sixth to a seasonal workman for every completed year of service.

(iii) On completion of 30 years' or seasons' continuous service as the case may be, the amount payable for events mentioned in clauses (a) to (c).

Chemicals & Food products.

40.38. A study of gratuity schemes prevailing in 43 units of this group of industries reveals that these schemes prescribe different rates of gratuity for varying period of service of the employees. Most of the schemes have prescribed a qualifying period of 15 years' service, of 43 schemes under study, 14 were introduced voluntarily, 22 under agreements and 7 under awards.

40.39. There are variations in the scale of gratuity payable under different schemes. While 17 schemes allow a maximum amount equivalent to 15 months' basic wages or salary, an equal number of schemes permit a maximum amount equivalent to 20 months' basic wages. In 7 cases the amount ranges from 7½ months to 22 months. Of the remaining 2 schemes, one did not fix any maximum limit and the other is silent on this point.

40.40. The Central Wage Board for the Heavy Chemicals & Fertilizer Industry (1965-68), recommended the following scale :—

(a) 15 days' emoluments for each completed year of service subject to a maximum of 15 times the emoluments or Rs. 24,000 whichever is less.

(b) In the case of death, the amount of gratuity should be calculated under (a) above or as worked out below, whichever is more :—

- | | | |
|--|-----------------------|--|
| (a) during the first 2 months' year of service | 2 months' emoluments | Reduction by the amount of undertaking's contribution together with interest thereon standing to the credit therein the C.P.F. account of the employees. |
| (b) after 1 year but before 5 years. | 6 months' emoluments | |
| (c) after completion of five years' service. | 12 months' emoluments | The Undertaking's contribution will also include the amount of gratuity admissible under the Rule 2(6) of the workmen's Contributory Provident Fund Rule |

Engineering industry.

40.41. An analysis of the gratuity schemes obtaining in 39 engineering units (mostly located in Bombay, Poona and Madras) shows that these schemes prescribe different rates of gratuity for varying period of service of the employee. Most of the schemes have prescribed a qualifying period of 15 years' service. In most cases gratuity is payable on retirement, death, voluntary retirement on medical grounds and on termination of services by the employers.

40.42. Variations are also noticeable in regard to the amount of gratuity payable under different schemes. The analysis of information reveals that 6 schemes were introduced voluntarily, 24 under agreement/settlements and 9 schemes under awards.

40.43. In West Bengal, the award of First Omnibus Engineering Tribunal (1948) directed the engineering companies employing 100 or more workers to pay gratuity as under for the period not covered by any provident fund scheme :—

- | | |
|--|--|
| (a) On retirement after continuous service for not less than 25 years. | ½ a month's pay for each completed year of service subject to a maximum of 15 months' pay. |
| (b) On retirement before completing 25 years' continuous service owing to illness, old-age or any other sufficient case, with the written consent of the employer. | Do. |

40.44. The award stipulated that small companies employing less than 100 men should have option to introduce provident fund or gratuity at the rate of 15 days' basic salary for each completed year of service.

Petroleum and petroleum products industry.

40.45. Amongst these industries, Burma Shell (Refining and Marketing Units), Indian Oil Corporation (Marketing Division), and Caltex (Distribution and Refining Units) and ESSO (Marketing Division) have introduced gratuity schemes.

40.46. In all the units except Indian Oil Corporation (Marketing Division) gratuity is paid on the scale given below :—

- | | |
|---|--|
| 1. On death or disability | 1 month's salary for each completed year of service subject to a maximum of 15 months' salary. |
| 2. On voluntary retirement or resignation after 15 years' continuous service. | 15 months' salary. |
| 3. On termination of service of an employee by the company : | |
| (a) After completion of 5 years' continuous service but less than 10 years' continuous service. | ½ month's salary for each completed year of service. |
| (b) After 10 years' continuous service but less than 15 years' service. | ¾ of one month's salary for each completed year of service. |
| (c) After 15 years' continuous service. | 1 month's salary for each completed year of service in Burmah Shell & Caltex.
15 month's salary (in all) in ESSO. |

40.47. The gratuity scheme prevailing in the Indian Oil Corporation (Marketing Division), however, differs as it does not cover all the contingencies stated above and the rate of payment is also different. The information regarding minimum qualifying period in this case is not available. According to this scheme, gratuity is paid at the rate of half month's emoluments for each completed year of service subject to a maximum of 15 months' emoluments or Rs. 24,000/- whichever is less. However, in case of permanent mental or physical disability gratuity payable is equivalent to 2 months to 8 months emoluments depending on the length of the service of the employee.

Paper industry.

40.48. An analysis of the gratuity schemes obtaining in four paper Mills reveals that these mills prescribe different rates of gratuity for varying period of service. In the Deccan Paper Mills Company Limited, Poona, gratuity is paid to all workmen as per an agreement on the scales laid down below :—

- | | | |
|--|---|--|
| (a) On death while in service; | } | month's basis salary/ ½ wages for each year of continuous service. |
| (b) On becoming physically or mentally incapable of further service ; | | |
| (c) On voluntary retirement or resignation after 15 years' continuous service. | | |
| (d) On termination of service by the Company. | | |

40.49. In Titaghur Paper Mills Company (Mills No. 1 and 2), the scale of gratuity is as under :—

- (1) Upto completion of 15 years' service prior to 1947—two weeks's basic pay for each year of service ;

- (2) On completion of 16 years and upto 19 years' service prior to 1947—three weeks' basic pay for each year of service ;
- (3) On completion of 20 years' service and over prior to 1947—four weeks' basic pay for each year of service.

40.50. Thus, it will be seen that while in the Deccan Paper Mills the gratuity scheme for workmen are tenable under circumstances such as death, voluntary retirement, termination of service by the Company etc., such reasons or conditions are not obtainable in Titaghur Paper Mills.

40.51. A gratuity scheme was instituted in Shri Gopal Paper Mills Ltd. Yamunanagar, by an award. The scale laid down in the Scheme is as under :—

1. On superannuation of or the death or on becoming physically or mentally incapacitated for further service. 5/6 months' basic salary.
2. On voluntary retirement or resignation after 15 years' continuous service :
 - (a) After 10 years' but before 15 years' continuous service. ½ month's basic salary or wages for each year of completed service.
 - (b) After 15 years' continuous service. ½ month's basic salary or wages for each year of completed service.

40.52. A gratuity scheme prevailing in Orient Paper Mills, Brajrajnagar (applicable to workmen employed on daily rate basis but paid on monthly rate basis including the piece rate basis) prescribes the following rates :

1. On the death while in the service. One month's total wage for each year of service subject to a maximum of 15 months' total wages.
2. In case of physical or mental incapacity of the workers while in service. Ditto.
3. In case of resignation or retirement. 15 months' total wages after completing 15 years of continuous service.

Match industry.

40.53. The gratuity schemes were instituted at some of the constituent units of the Western India Match Ltd., Bombay under awards and at some of the units of this concern voluntarily. The minimum period for qualifying for voluntary retirement under the scheme has been fixed 15 years of continuous service. The rate of gratuity is one month's basic salary or wages for each year of continuous service up to 15 years and thereafter at the rate of half month's basic salary or wages for each year of continuous service subject to a maximum amount of 20 months' basic salary.

Potteries industries.

40.54. Information received in respect of four undertakings do not give complete picture of gratuity schemes obtaining in these units.

40.55. In Bengal Potteries Ltd., Calcutta, gratuity is paid to the employee in case of retire-

ment or death, provided that the employee concerned has served the company for 7½ years or more. No information regarding the rate at which gratuity is paid is available.

40.56. M/s Harrison's and Crossfield Ltd., Cochin have prescribed a minimum period of 15 years qualifying period for voluntary retirement. In this Company, the rate of gratuity varies from department to department. In case of staff of this establishment located at Quilon, the Company pays gratuity at the rate of one month's basic salary for each year of continuous service. The workers employed in the Tile Works Department of the same Company are paid gratuity at the rate of half a month's basic wages for each year of continuous service.

40.57. In Kumardhubi Fire clay & Silica Works, the minimum qualifying period for voluntary retirement has been fixed 15 years and the rate of payment is 15 days' average basic pay for each completed year of service.

40.58. In Reliance Firebrick & Potteries Co. Ltd., Baraker ; no gratuity is paid in case of death or voluntary retirement. However, gratuity is paid in the event of retirement on superannuation or physical and mental incapacity. The rate of payment is 15 days' average basic pay in case of daily rated workers and half a month's pay in case of monthly rated workers (for each completed year of service).

Coal mining industry.

40.59. The Survey of Labour Conditions conducted by the Labour Bureau, Simla, during 1962-63, showed that the system of paying gratuity was in vogue in nearly 12 per cent of the coal mines in the country. The minimum period of qualifying service prescribed for voluntary resignation and termination of service was generally 15 years. In case of retirement this period varied from 12 to 30 years. The Survey further showed that in 33 per cent of the mines covered no specific rate was fixed by the Company. It depended upon the discretion of the employer. In others the rates varied. In some cases the rate was half a month's basic pay or wages and in some other half a month's basic pay and dearness allowance for each completed year of service subject to a maximum of 15 months' basic pay or 15 months' basic and dearness allowance as the case may be.

Plantation.

40.60. The gratuity scheme prevailing in Tamil Nadu, Kerala and Mysore provides for the payment of gratuity at the rate of 15 days' wages for every year of completed service. There are variations, however, in the maximum amount of gratuity payable in different States. While the gratuity scheme in force in Kerala pays a maximum amount equivalent to 12 months' pay, the maximum limit fixed in Tamil Nadu and Mysore is 15 months' wages. In respect of white collared workers, the maximum of 15 months' basic pay and dearness allowance is applicable. Even in Kerala, while fixing the maximum limit of gratuity, employees have been differentiated according to whether they are workers or the members of staff. The members of staff are allowed a maximum gratuity of 15 months' basic pay plus dearness allowance whereas the workers get a maximum of 12 month's wages as gratuity.

40.61. The qualifying period of service also varies from State to State. In the States of Tamil Nadu and Mysore, the gratuity is paid to the employees who retire after attaining the age of superannuation or on completing 60 years of age whereas in case of Mysore, a lower-age limit of 58 years has been prescribed to qualify for this benefit.

40.62. In respect of voluntary retirement also the qualifying period differs from State to State. Tamil Nadu has prescribed a qualifying period of 5 years in this regard, a period of 10 years is prescribed by Kerala and 7 year by Mysore.

40.63. The gratuity schemes prevailing in Tamil Nadu, Kerala and Mysore, provide for the contingencies of death or physical/mental incapacity in case an employee has completed at least one year's continuous service.

40.64. The working of the gratuity scheme in plantations was surveyed by the Labour Bureau, Simla, in 1961-62. The Survey showed that 18.7% tea estates in Assam, Tripura and 10.7% of the tea estates in West Bengal have evolved their own gratuity schemes. The rate of payment was usually half a month's basic pay for every completed year of service subject to a maximum of 15 months' basic pay. The main qualifying condition prescribed is completion of 10 to 15 years' service.

40.65. The gratuity scheme prevailing in the Southern States, covered all the categories of workers whereas the gratuity schemes prevailing in Assam referred to above, covered clerical and medical staff only.

Public sector undertakings.

40.65. The gratuity scheme prevailing in the gratuity schemes have been introduced in the past, but these were not uniform. The desirability of public sector undertakings following a uniform practice in the matter was stressed by the Estimates* Committee of the Parliament. It had suggested that "Government may undertake a comprehensive review of the position in various public sector undertakings with a view to ensuring uniformity in this regard". The Scheme lays down that gratuity will be granted for good, efficient and faithful service to the whole-time employees of the public sector companies excluding certain categories of workers like casual and non-regular employees, Government servants and others employed on deputation terms, employees on contract basis, apprentices and trainees, and re-employed persons.

40.67. Payment of gratuity is made when (i) an employee is discharged or his post is abolished, (ii) permanent incapacity due to bodily or mental infirmity, (iii) superannuation, and (iv) retirement after 30 years' of qualifying service. No gratuity is payable to an employee who resigns from service or whose services are terminated for misconduct, insolvency or in inefficiency. Except in the case of death, gratuity is admissible after 5 years' qualifying service. The term qualifying service used in the Scheme, means all the service rendered in the company after completion of 18 years of age, except periods of service rendered as apprentice and extra-ordinary leave without leave salary. Under the scheme the payment of gratuity is made at the rate of 15 days emoluments for each com-

pleted year of service subject to a maximum of 15 times the emoluments or Rs. 24,000 whichever be less. However, in case of death, the gratuity is payable even if the period of service is less than five years and in such cases, the rate of payment is—

- | | | |
|---|----------------------|---|
| (i) during the first 2 months' year of service. | emoluments | Reduced by the amount of undertaking's contribution. |
| (ii) after one year but before 5 years' service. | 6 months' emoluments | } together with interest thereon standing to the credit in the contributory Provident Fund Account of the employee. The undertaking's contribution will also include the amount of gratuity admissible under Rule 2(6) of the workmen's contributory Provident Funds Rules. |
| (iii) after completion of 12 months' of 5 years' service. | 12 months' service. | |

40.68. The Committee has no information as to how many of the public sector undertakings have since introduced this scheme, how many workers have been benefited by the Scheme and shortcomings, if any, noticed in the functioning of the scheme.

Judgment of Supreme Court.

40.69. Review of the existing scheme made in the preceding paragraphs shows the vast range of diverse practices obtainable in the eligibility and rate of payment of gratuity. Differences over the interpretation of these schemes have often been carried to the Supreme Court. This has resulted in a number of decisions by the Supreme Court on gratuity. In one of the cases, the question was raised with regard to the underlying principle behind the payment of gratuity. The Supreme Court observed that "gratuity is not in its present-day concept merely a gift made by the employer in his own discretion. The workmen have, in course of time, acquired a right to gratuity on determination of employment, provided the employer can afford, having regard to his financial condition, to pay it". In practice also it is being gradually recognised that gratuity is given to the worker to provide some protection after his retirement from service and, therefore, it is an important obligation of the employer. Keeping this fact in view, it is desirable that a uniform practice for payment of gratuity should be evolved in all the industries. As has already been stated above, there is no uniformity in regard to payment of gratuity from one industry to another and there is hardly any uniformity at the national level.

40.70. In one of the appeals to the Supreme Court, a point was raised whether an award providing for gratuity on retirement or resignation of a workman after 10 years' service on 10 days' consolidated wages for each year's service should be upheld. The contention put forward on behalf of the employer was that the minimum period of service entitling a workman to gratuity should be fixed at 15 years. A number of similar cases

*Estimates Committee (3rd Lok Sabha : 1960-64) 52 nd Report.

have been referred to the Court with the result that there have been a number of decisions with regard to the qualifying period for payment of gratuity. The Supreme Court has held that gratuity should be payable on the basis of long and meritorious service which may mean long and unbroken period of service meritorious to the end. Since the period of service must remain unbroken so must the continuity of meritorious service be the condition for entitling the workman to gratuity. The Court has taken different views with regard to minimum qualifying period for payment of gratuity in different cases. In some cases, it has been 15 years, but in one of the recent cases, namely, Delhi Cloth and General Mills Co. Ltd., versus their workmen, the Court has fixed 10 years as the minimum qualifying period for payment of gratuity. The range of minimum qualifying period, according to Supreme Court decision, comes to 10 to 15 years.

Our Views.

40.71. We feel that time is now ripe in India for making the institution of retiral benefits in the shape of gratuity universally applicable to all industries. It is being increasingly recognised that there has been no major nation in the world which does not have some form of social insurance or the other. The historic sources of social insurance idea are found in the genesis of industrial revolution in the 12th century in Europe. Social insurance schemes were also found in the guild benefit societies. "The embryonic trade union movement in the Europe of the last century, the Chartist movement in England, the efforts of the forty-eighters in Germany were directed against the bad conditions of employment. The introduction of the Germany sickness and maternity insurance in 1883 was the initial governmental programme. The next year, workmens' compensation was introduced. In 1889 the German programme was broadened to include invalidity, old age and death benefits. Today, social insurance has spread throughout the world. It is an integral feature of the social democracy. In social insurance may lie the answer to the challenge of totalitarianism."* The concept of social insurance and retiral benefits has thus been evolving itself for the last 700 years.

40.70. The account of different systems of gratuity prevalent in various establishments given in the preceding paragraphs is a clear indication of the fact that the need for payment of gratuity has been universally recognised. Its existence may be due to different source, i.e., as a result of collective agreements. Tribunal awards or judgment of the Supreme Court. But the fact remains that payment of gratuity has been recognised as an essential element by way of retiral benefit to the worker for his services.

However, neither the employers discretion nor agreements nor even the awards have resulted in evolving any norms or uniform basis for payment of gratuity. We feel that in the case of such an important retiral benefit it is necessary that norms should be laid down at the national level. This could only be done through legislation. We, therefore, recommend that an All Indian Enabling Legislation be introduced to ensure that all industrial workers receive the retiral benefits of gratuity.

40.73. The question has also been raised before us by the workers' organisations that the quantum of gratuity should not be linked with basic wages only. It has been argued that basic wages will continue to remain depressed so long as the element of variable dearness allowance remains in existence. Instances have been brought to our notice specially in textile and engineering industries where the element of dearness allowance is many times more than the basic wages that a worker gets. It has, therefore, been suggested to us that the quantum of gratuity should be worked on the basis of total wages, i.e., basic wage and dearness allowance taken together. In support of this argument it has been stated that if this practice could be followed in the case of bonus there is no reason why it should be difficult to do so in the case of gratuity.

40.74. While it is a fact that the element of dearness allowance has resulted in checking the revision of basic wages of workers consequent upon the rise in the cost of living it may not be totally justified to suggest that the entire element of dearness allowance should be taken into consideration while computing the basis of payment of gratuity. At the same time it will be inequitable if we totally disregard the part played by dearness allowance in the family budgets of the workers. For all practical purposes the dearness allowance has come to stay as a part and parcel of the pay packet of a worker. *We, therefore, recommend that while computing the quantum of gratuity the element of dearness allowance should also be taken into consideration along with basic wages.*

40.75. It has also been suggested to us that in addition to gratuity workers should be entitled to old age pension. It is a laudable idea. We are, however, hesitant to recommend that both gratuity and old age pension be universalised in the present context of the Indian economy and the burdens that the industry has to bear for a variety of reasons. At the same time we do not wish to be understood that gratuity can be replaced by old age pension. We consider that gratuity is, keeping in view the conditions of an Indian workers, who stands in need of a lumpsum amount at the time of retirement a better retiral benefit than old age pension. It does not mean that we rule out the possibility of old age pension being granted. In fact we are told that in some establishments this practice is also in vogue. We earnestly hope that such concerns as are already giving old age pension shall continue to do so.

Provident Fund

40.76. Another form of Retiral Benefit is the Scheme of Provident Fund. Organised attempt for the introduction of the Provident Fund Scheme was made in the railways and for employees serving in Government Industrial Establishments in 1925 with the enactment of the Indian Provident Fund Act 1925. After independence considerable progress was made in the extension of the Provident Fund benefits to various other industries. Legislative provisions like Coal Mines Provident Fund and Bonus Scheme Act, 1948; Employees' Provident Fund Act, 1952; and Assam Tea Plantations Provident Fund Scheme Act, 1955 (amended in 1967) now exist to provide this benefit to a

*Pages 15 & 16 of the book titled Social Security and related welfare programmes by SIDNEY H. ASH, LL.B.

large number of industrial workers employed in mines, manufacturing and plantations industries. In addition, these benefits are also available to the employees engaged in departmentally run undertakings and the industrial establishments of the Government. These Schemes have been introduced according to the rules and regulations framed by the Central and the State Governments from time to time.

40.77. The Provident Fund Schemes are of two types: (i) contributory and (ii) non-contributory. Under the first category the employers, either under the provisions of the Act or as per collective agreements, contribute a prescribed percentage subject to some maximum ceiling. In the second category, employers are not required to make any contribution. The amount contributed by the employees is returned after the completion of the period along with the interest accrued on such an amount. The condition for entitlement to Provident Fund is generally linked with a specified period of continuous service and/or after the confirmation of an employee by the employer. The eligibility period differs from industry to industry. The salient features of the existing legislative provisions applicable to mining, manufacturing and plantations industries are given in the subsequent paragraphs.

Coal Mines Provident Fund and Bonus Scheme Act, 1948

40.78. The Coal Mines Provident Fund and Bonus Scheme covers all employees subject to their attendance of 95 days if employed underground and 120 days if employed above ground during a period of six consecutive months. The rate of contribution of the employers and workers, which was originally fixed as 6½% of the wages, was raised to 8% with effect from Oct. 1, 1962. Benefits are generally payable in the form of lumpsum cash at the time of retirement. The total number of beneficiaries under the scheme is about 4 lakhs.

The Employees' Provident Fund Act, 1952

40.79. The Employees' Provident Fund Act, 1952 applies to all factories and other establishments in public and private sectors falling under any notified industry employing 20 or more persons on completion of 5 years of its existence if it has less than 50 employees and on completion of 3 years of its existence if employing 50 or more persons. An establishment once covered under the Act will continue to be covered unless the number of persons employed is reduced to less than 15 and remains so for a continuous period of not less than one year. The Act does not, however, apply to: (i) establishment registered under the Cooperative Societies Act 1962, if the establishment employs less than 50 persons and works without the aid of power; (ii) handloom factories organised as industrial cooperatives as a class, upto the end of 1964; and (iii) tea plantations and tea factories in the State of Assam, where the State Government have a separate scheme for these establishments.

40.80. The Act was also applicable till August 1965, to such classes of establishments owned/controlled by charitable institutions as were solely working for the benefits of the employees. The Act, amended in November, 1963, provides *inter alia* for: (a) extension of the benefits of the Act

to workers employed by or through a contractor and enabling the employer to recover the contributions from the contractor; (b) protection of certain employees not at present entitled to such protection from attachment of Provident Fund from the operation of the Scheme; and (c) streamlining of the organisation and functioning of the Scheme.

Rate of Contribution

40.81. The Employers contribution to the Fund was fixed at 6½% of the basic wage, dearness allowance, retaining allowance, if any, including the cash value of food concession given to the employees. The employees are required to contribute an equal amount. They may also contribute more subject to a maximum of 8½% without any corresponding obligation on the employers. Later, however, by an amendment of the Act in 1963 statutory rate of Provident Fund contribution has been raised to 8% in the establishments employing 50 or more persons. The enhanced rate of contribution covers about 71 industries.

Applicability of the Scheme

40.82. The benefits under the Provident Fund scheme are available to a worker who has completed one year's continuous service or worked actually for 242 days during a period of twelve months and his total emoluments including cash value of food concession does not exceed Rs. 1,000 per month. Employees drawing more than Rs. 1,000 are also eligible to become members on certain specified conditions. In the case of seasonal establishments, an employee should have worked for two-thirds of the period during which the establishment remains in operations.

Non-Refundable Advances of Provident Fund

40.83. Besides provident fund the employees are entitled to non-refundable advances of provident fund for payment of premium for life insurance policy, for purchase of house, for loss of employment due to closure of a factory or establishment and for a major surgical operation or treatment of T.B., leprosy, paralysis, cancer, asthma, etc. in a hospital.

40.84. The Employees' Provident Fund Act, which was originally applicable to six industries, has now been extended to 119 industries. The total number of beneficiaries under the Act is about 52 lakhs.

The Assam Tea Plantation Provident Fund Scheme Act, 1955 (as amended in 1967)

40.85. The Employees' Provident Fund Act, 1952, which is applicable to plantations, does not cover tea plantation workers in Assam. They are covered by the Plantations Provident Fund Scheme Act, which came into existence in Assam in 1955. It was amended in 1967 with a view to linking the pension scheme with the provident Fund. The scheme envisages the crediting of 16% of wages to the provident fund account of a member with 3 per cent. interest. Thus a worker, receiving an average pay of Rs. 12 per week is assured after completing 30 years of service, provident fund with interest to the extent of Rs. 4,208.50, a pension of Rs. 22.97 a month for 7 years and an insurance payment amounting to Rs. 500 plus bonus.

40.86. The minimum qualifying period of service is fixed at 25 years of membership of the Fund without any break for more than 3 months at a time.

40.87. The reports of the Provident Fund Commissioner show that the accumulations of provident fund amount (including the workers' contributions) with the employers has been steadily rising every year. The efforts to recover this through prosecutions have not helped to expeditiously reduce the arrears. Not depositing E.P.F. dues and specially workers' contribution amounts to misappropriation. Besides delaying settlement of workers' dues, if this practice allowed to continue, it results in workers losing faith in such tripartite schemes. The existing penal clauses have not proved effective. The Committee therefore, recommends that urgent steps should be taken to amend the law to provide for a minimum substantive punishment, including imprisonment for repeated violations of law to have a deterrent effect on habitual defaulters.

Extension of the Provisions of Employees' Provident Fund Act, 1952

40.88. With a view to exploring the possibility of covering large number of workers in the covered industries as well as to include workers in the uncovered industries, the Committee invited the views of the State Governments, workers' and Employers' organisation as well as of the Central Provident Fund Commissioner's Organisation. Out of the 14 States Governments who replied to the Committee's questionnaire, the Governments of Andhra Pradesh, Assam, Bihar, Gujarat, Madhya Pradesh, Maharashtra, Mysore, Orissa, Rajasthan and the Union Territories of Delhi, Goa, Manipur, Pondicherry and Tripura have in principle supported the idea that provisions of the Provident Fund Act should be extended so as to cover workers in establishments employing less than the existing prescribed limits as well as the workers in shops and commercial establishments. The Government of Kerala have stated that although extension of the Act to establishments employing less than 20 workers is desirable, the time is not ripe to cover smaller establishments. The Government of Tamil Nadu have stated that extension of the Act should only be made when all the workers, at least, in factories employing 20 or more persons have been covered. Even for covering such workers, the workers in the larger establishments may be covered first. Care must also be taken to ensure that the cost of administering the Scheme does not become very high, which is likely to be, in case

the number of smaller establishments far exceeds the number of larger establishments.

40.89. The workers' organisations have generally supported the proposal to extend the coverage of the Act to cover all the employees irrespective of the size of the undertaking in terms of employment. They have also by and large supported the idea of progressively extending the coverage of the Act so as to include hitherto uncovered workers. However, a caution has been sounded with regard to the feasibility in maintaining the quality of the service if smaller units are also included under the Scheme.

40.90. The Committee has also detailed discussions with the Employees' Provident Fund Commissioner (Central Authority concerned) on the implementation of the scheme. The Central Provident Fund Commissioner has, in principle, supported the idea of extending the coverage of the Act to establishments employing lesser number of workers. Actually, the power to extend the Act to specified establishments employing less than 20 persons is already contained in the Act and Central Government can do it by notification. Whenever and wherever it is considered administratively feasible, it is contended that in case a larger number of units are covered by the Act, the total collection from such units will be comparatively smaller than from the bigger units whereas there will not be marked difference in the administrative expenses. It was further stressed that without streamlining the existing organisational set-up and ensuring administrative efficiency it would not be advisable to extend the Act to cover smaller units all at once though it could be done according to a phased programme. This could possibly be done by grouping the small units and employers of such units jointly undertaking the responsibility of collection of contribution to the Provident Fund. In that situation it may be practicable to extend this scheme to workers in smaller establishments. The Committee examined the existing situation in greater detail and felt that, as the Provident Fund is an important welfare measure particularly in old age, this scheme should be extended to cover workers in small establishments as well. We, therefore, recommend that the Employees' Provident Fund Act, 1952, at present applicable to such establishments employing 20 persons and having 5 years' standing or employing 50 or more persons and having 3 years' standing, be extended progressively, to cover all workers irrespective of the size of undertaking and nature of industry.

CHAPTER XLI

WELFARE AMENITIES FOR WORKERS IN COTTAGE AND SMALL SCALE INDUSTRIES

INTRODUCTION

41.1. In the earlier parts of our Report, we have discussed the existing position regarding the welfare amenities available to workers in factories, mines and plantations under respective labour laws applicable to those industries. We have also suggested improvements to be effected in the implementation of various provisions of those laws and the new welfare measures considered necessary for industrial workers. Our terms of reference also enjoined upon us to suggest welfare measures which could be introduced for rural and agricultural labour. These have been covered in Part V of our Report.

41.2. Welfare amenities stipulated in the Factories Act 1948, the Plantations Labour Act 1951 and the Mines Act 1952 are employment based. Those amenities are thus available only to workers of such establishments as employ a specified number of people. Outside the realm of these Acts are a large number of small scale establishments in factories, plantations and mines, the employers of which are under no statutory obligation to provide to their workers, any or most of the welfare amenities, mentioned in the above Acts. These establishments are located both in urban as well as in rural areas. They are engaged in processing primary products or in supplementing the existing large scale industries.

41.3. The exact figures of workers employed in such establishments are not available. It is, however, an open fact that these workers far outnumber those employed in limited number of industrial establishments which are within the purview of the enactments referred to above. According to 1961 Census, about 70% of the workforce continued to depend upon agriculture, followed by mining and factory industries accounting for 2.6% only. The small enterprises, including construction, accounted for about 8%. Nearly 7% of the work-force was engaged in transport communications and trade. Public administration, liberal arts and domestic services accounted for over 10%. This amply bears out the impression that a large number of work-force is in such undertakings to which the arm of law does not extend in so far as the provision of such welfare amenities as canteens, creches, rest shelters and even some basic provisions of regulating working conditions are concerned.

Definition.

41.4. The term 'Cottage and Small Scale Industry' is vague and lacks uniformity when it comes to defining it in any precise or scientific terms. One of the tests employed for demarcating the large scale, from the small scale, evolved earlier by the Government of India is the basis of number of workers and the investment in fixed assets. Any establishment employing less than 50 workers working with power or less than 100 workers working without power and having an investment in fixed assets not exceeding Rs. 7.5 lakhs is a small scale establishment. The latest criterion does not mention the number of workers. It only classifies small scale industry on the basis of capital investment upto Rs. 7.5 lakhs in

machinery and equipment only. However, even with the changed definition the number of workers employed would not be materially affected. No factory, mine or plantation is under obligation to have a canteen if it employs the number of workers indicated above. So is the case with creche and rest shelters except for mines where according to Mines Act even if one woman is employed in a mine, a mine-owner is under an obligation to provide a creche. This is an extreme case. In practice neither one woman is employed nor any mine-owner would open a creche for the sake of the child or children of one female worker. This was done to arrest the reported tendency amongst mine owners of deliberately reducing the number of women workers so as to fall below the then statutory limit for establishing a creche.

41.5. In order to have a broad-based cross section of views as to what can be included in cottage and small scale industries for purposes of welfare we approached the State Governments and Union Territory Administrations to give us their views in the matter. The Governments of Kerala, Tamil Nadu and West Bengal have divided these industries into (i) food processing industries; (ii) small manufacturing industries; (iii) leather tanning, shoe making and other domestic types of industries like beedi-making and soap-making etc. Majority of States have also included such industries as oil pressing, cotton ginning, flour mills, rice mills, coir spinning, gur and khandasari, sericulture, handicrafts, handloom, carpet-making, etc. as common industries falling in this sector. In the urban areas, small units manufacturing engineering items, plastic goods, electrical equipment as well as establishments engaged in commercial and trading activities have been included.

41.6. In the rural areas, the agro and forest based industries generally fall within the scope of this sector. These are cottage and household industries, rural industries, handicrafts, handloom, power-loom, khadi, hand pounding of paddy, oil seeds, crushing, tanning, leather, match, gur and khandasari, bee-keeping, carpet-weaving, handprinting, bamboo and cane making, embroidery sericulture, coir, cashew, and various carving crafts which are hereditary in nature and have been continuing from generation to generation.

41.7. The list of industries referred to in the preceding paragraphs is only illustrative and by no means exhaustive. Besides a sizeable number of workers employed in these industries there are a large number of workers who are employed in units engaged in ancillary or allied industries to factories, plantations and mines. For purposes of discussion in our Report as to what type of welfare amenities can be provided for the large mass of workers employed in such establishments and how can they be administered, we are inclined to go by the definition of small scale industries evolved by Government of India. These are not under any obligation to give any statutory welfare amenities provided in the three major Acts referred to above except the most basic ones namely drinking water and urinals etc. The provision of any non-statutory welfare amenities to workers employ-

ed in these establishments is more a matter of conjecture than a reality. Exceptions here mark the rule. Wherever such amenities are given they are mostly of an ad-hoc nature out of philanthropic motives.

Salient Features of such Industries

41.8. Small scale industries have made considerable contribution to the National Income, Employment and Decentralisation of Economy. According to the White Paper on National Income Estimates, contribution of this sector to the National Income amounted to about 23% of the total National Wealth during 1960-61 to 1967-68. This income originated from small scale manufacture, transport, construction, trade, hotels and restaurants. The details of the contribution made individually by these sectors,* in relation to total of all sectors, is given below :—

TABLE I

(Rupees in crores at current prices)

Sl. No.	Income Originating Source	1960-61	1965-66	1966-67	1967-68
1	Small Scale Manufacturing (Separate)	785 (5.9)	1,285 (5.5)	1,323 (5.5)	1,436 (5.2)
2	Transport by other means	267 (2.0)	445 (2.2)	501 (2.1)	546 (1.9)
3	Construction	620 (4.6)	1,003 (4.9)	1,063 (4.5)	1,123 (4.0)
4	Trade, Storage, Hotels and Restaurants.	1,301 (9.7)	2,229 (10.8)	2,636 (11.0)	3,020 (10.7)
5	Total	2,973 (22.2)	4,962 (23.7)	5,523 (23.3)	6,125 (21.8)
6	Total of all sectors	13,380	20,753	23,902	28,187

41.9. In terms of employment, some data has been recently collected by the Central Ministry of Labour and Employment under their Employment Market Information Programme. According to the information collected by them in the non-agricultural sector, the position of small establishments as

per number of persons employed is as below :

TABLE 2
Size of Establishments and Employment†

Size of Establishment	Establishments	Employment
5 to 9 workers . . .	55,869 (39.4)	3,34,955 (4.9)
10 to 24 workers . . .	51,087 (36.0)	7,20,153 (10.6)
25 or more workers . . .	35,024 (24.6)	57,28,256 (84.5)
TOTAL .	1,41,980 (100.0)	67,83,364 (100.0)

41.10. There is yet another source which gives, though rough indication of the absolute number of workers employed in this sector. The Census placed non-agricultural wage earners at about 24 millions while wage paid agricultural labour accounted for 31 millions. From this total number of non-agricultural wage earners after deduction of persons employed in organised sector namely factories, mines and plantations about 10 millions can be said to be employed in small scale sector. This number, however, does not include a large number of workers other than those employed in various cottage and household industries and rural handicrafts. The Census placed this number at 11 millions. The total work-force which this sector accounts for, is, therefore, not a small number. It is significant enough to cover about 2 crores of workers.

Importance of Small Scale Industries

41.11. The type of industries that we are discussing play a significant role in the development of our economy. The Industrial Policy Resolution of 1956 laid considerable emphasis on the promotion of these industries. It says that "the aim of the State Policy would be to ensure that the decentralised sector secure sufficient vitality to be self supporting and its development is integrated with that of the large scale industry. The State will, therefore, concentrate on measures designed to improve the competitive strength of the small scale producer.... they provide immediate large scale employment; they offer a method of ensuring a more equitable distribution of the national income and they facilitate an effective mobilisation of the resources of capital and skill". In pursuance of this Policy, all out encouragement has been given to the promotion of small scale units. The number of registered small scale units in the country was

*Source : White Paper 'National Income Estimates'.

NOTE.—Figures in bracket indicate the percentage to the total of all sectors.

†This data suffers from serious limitations. Establishments falling in the slabs 5 to 9 workers and 10 to 24 have supplied information voluntarily. In the case of third slab also though it is obligatory upon employers to provide information under the Compulsory Notification of Vacancies Act yet the information received is based on the returns available with the Government. Besides this, certain areas like Greater Bombay in Maharashtra and 4 districts in West Bengal namely Barrackpore, Calcutta, Howrah, Asansol and Durgapur, have been excluded. Thus, the estimate of employment, which comes to 67.83 lakhs will actually be much more.

1,20,000 in 1964. The unregistered units in this sector then stood at about 2,50,000.

41.12. Out of the total value added by manufacture in all manufacturing industries—large and small—estimated at about Rs. 23,320 millions in 1964; the small scale enterprises accounted for over 52%. In the same year these units employed 2.77 million workers, out of the total industrial employment of 5.53 millions. According to another estimate small scale units registered under the Factories Act only were responsible for nearly 35% of the total factory employment and about 30% of the aggregate gross output of all registered factories in the country.

Poor Working Conditions

41.13. Despite the galloping progress made in the number of small scale units and the shortest pace in which they have multiplied working conditions in most of these units continue to be poor. Very often the working environments are far from being congenial and even basic amenities like drinking water, sanitary facilities and safety measures are either missing or inadequate. The provision of other facilities like creche, canteen, does not arise. One reason for the prevalence of such conditions can be attributed to the lack of paying capacity of the small scale producers. The other reason can be lack of trade union organisation amongst such units. This, however, does not mean that labour in these units is generally not animate enough to ask for its rights but the attention of unions operating in these fields has largely been pitched to the demands aimed at enhancement of wages.

Need for Welfare Amenities

41.14. Labour laws like Minimum Wages Act, Payment of Wages Act, Workmen's Compensation Act, which are of general application to workers as a whole in the country, have also been extended to this class of workers, though in a limited manner. Besides these Acts, the Shops and Commercial Establishments Act, the Motor Transport Workers' Act, Beedi and Cigar Workers (Conditions of Employment) Act, some of the State Acts to have been extended to cover various categories of workers in such establishments. The Motor Transport Workers' Act and the Beedi and Cigar Workers (Conditions of Employment) Act do contain some provisions of welfare amenities to be provided by the employers statutorily in establishments employing a specified strength. The Government of Maharashtra have recently brought on the anvil of legislation what is known as Maharashtra Mathadi, Hamal and other Manual Workers (Regulation of Employment and Welfare) Act, 1969. This Act has broken new ground and an attempt has been made therein to extend benefits of regulated conditions of work to some categories of workers who are not covered by any legislation whatsoever. But all these enactments combined together hardly touch a fringe of the problem because some of them again in turn are employment based and do not reach workers in small scale cottage industries.

41.16. Earlier in Part I—Chapter IV—of our Report, we have argued that minimum basic welfare amenities should be available to all workers irrespective of the size of an establishment in which they are employed. This is a stand which does not admit of any change. As a matter of

fact, it is on this basis that we have ventured to consider the possibilities of suggesting some welfare measures and the necessary machinery to administer those measures in succeeding paragraphs for workers in small scale and cottage industries.

41.17. We realise that enforcement of minimum standards of labour welfare in small establishments is beset with several problems. It is argued that in undertakings of smaller size it may not be economically viable to organise welfare amenities like canteens and unnecessary to provide creches, rest shelters, etc. The argument may be justified on administrative grounds or even on grounds of capacity of an industry to pay. But it can hardly be tenable if viewed in the context of the need of the workers employed in a small plant. Their needs are certainly in no way less or different as compared to their counterparts employed in a bigger plant. Such acts of discrimination defy the very purpose of establishing minimum standards. Ironically enough such establishments where workers stand more in need of welfare services, have been exempted from provision of welfare amenities. It is said that smaller undertakings do not have financial capacity to underwrite the cost of welfare services. We do not see much merit in this argument. If this argument is to be conceded then by the same logic we may have to concede if a case is made to extend working hours beyond 48 a week or not to grant earned leave etc. on grounds of lack of financial capacity.

41.18. State action in setting standards derives its ultimate sanction from public opinion and the public opinion today is in favour of ending discrimination due to the size of employing enterprises. Some even go to the extent of saying that the concept of the minimum standards makes it clear that such plants/employers as are unable to fulfil the required standards must close down. There is, therefore, no way out except that minimum standards of labour welfare be provided without regard to the size, location, profit or product of the enterprise.

41.19. There can be two ways to look at this problem. One way is to have an Enabling Legislation empowering the appropriate Governments to permit establishment of joint welfare services by smaller plants located in a compact area. The other way can be to have an outside agency, either as an integral part of the State machinery or as a Statutory Autonomous Body, to have its own set up of services and personnel to establish joint welfare facilities/amenities for workers employed in such establishments for the purposes of providing welfare amenities.

Industrial Estates

41.20. Of late, there has been a tendency, both on the part of the Government as well as by private entrepreneurs, to set up Industrial Estates. These Industrial Estates are, in our opinion ideal places for undertaking any pilot projects for rendering welfare services on joint basis. The industrial units in these estates are located in a compact area, which is administratively manageable. These units have also a degree of interdependence with each other and proximity leads further support to any schemes of mutual interest. These places are, therefore, ideally suited for undertaking any pilot projects for planning, provisioning and administration of welfare services on a joint basis.

41.21. As stated in earlier paragraphs in this Chapter, a very wide range of industries fall within the category of cottage and small scale industries. It is very difficult for the Committee to deal with even a fraction of these industries in detail to justify as to in what manner each of these industries can, by itself or in conjunction with others, provide and maintain welfare services. The limitations of time apart, there is no data worth the name to justify any detailed study, in most of these industries. However, the Committee decided to pick up a few small scale and cottage industries about which some data was available and which could serve as a model or basis for other such industries for planning and financing of welfare amenities. The industries taken up for detailed coverage are Bidi and Cigar, Coir, Fishing, Salt (small units), Leather (small units) Glass Bangles, Cashew etc. We have essayed to arrive at some conclusions with regard to the provisioning and financing of welfare amenities for such type of industries on the basis of general trends that emerge from the detailed discussions of the afore-said industries, in the succeeding paragraphs.

BIDI AND CIGAR INDUSTRY

41.22. Bidi and Cigar Industry, essentially an agro-based industry, is mainly concentrated in Madhya Pradesh, Maharashtra, West Bengal, Uttar Pradesh, Orissa, Tamil Nadu, Andhra Pradesh, Gujarat, Kerala, Assam, Rajasthan and in the Union Territories of Goa and Pondicherry. It provides employment to a very large number of unorganised labour, most of whom belong to scheduled castes and scheduled tribes and other backward communities. The number of women and children employed in this Industry outstrip the adult male workers. The Industry is carried on both in factories as well as at home.

41.23. According to 1961 Census, 9 lakh workers were employed in Bidi and Cigar making with about 5.5 lakhs of them in household sector. The number of factories in Bidi industry is very small as compared to the total employment generated. The reason being that most of the workers are indirectly engaged in the sense that they are given material to roll bidies in their houses.

41.24. The Labour Investigation Committee also went into the working conditions of workers employed in this Industry. It observed that bulk of workers were rollers who were paid on piece-rate basis. Only packing, labelling and store work was paid at time rates; in some centres labelling too was paid on piece rate. Children employed in the Industry were generally paid on daily basis. The piece rate for making 1,000 bidies varied from centre to centre and sometime from factory to factory in the same centre.

41.25. The present condition of workers in this Industry is not far different from what it was when the Labour Investigation Committee made its investigations. The only advance that has been made is that the Minimum Wages Act has been extended to this Industry. The sampling of certain units made by our Secretariat in some important centres in a State has revealed that even though Minimum Wages Act makes it obligatory on the part of employers to pay Rs. 2.62 per worker per day or for 1,000 bidies on piece rate basis, large majority of the workers were not being paid even the minimum wages. The workers are not yet

organised because the Industry is inter-linked with agriculture. In one important bidi making centre, namely, Gondia in Maharashtra 2/3rd of bidi workers are found to be agriculturists. Entitlement of land holding units conferred on landless workers, specially on the harijans, has provided two occupations i.e. agriculture and bidi making to many persons in rural areas. Bidi making is slack when agricultural operations such as sowing, harvesting etc. are in full swing. Thus bidi making is either principal or subsidiary occupation for the vast mass of rural population. In most of the centres bidi making has rather well-founded tradition and has become a way of life.

41.26. Main components of bidi are tendu leaves and tobacco. To suit the taste and demand of particular areas and persons bidies are prepared in different sizes and with different blendings. Though it is difficult to arrive at the exact figure, roughly 800 to 1000 bidies of normal size, are prepared by a worker per day. This industry has been known to be of sweated nature since long. With wages being low and labour unorganised various malpractices are reported in the matter of determination of quantum of wages on piece-rate basis. The most prevalent malpractice is known as 'Chhant' or rejection from the bidies rolled by the bidi rollers. The 'Sattedars' i.e., the Intermediary sorts out the defective bidies, known as 'Chhant'. From the bidies brought to the bidi firms by the Sattedars, the sorters of the firms make further sorting. According to the manufacturers, the defective bidies do not exceed 5 to 6%. The workers, however, place elimination as a result of 'Chhant' at 20 to 25%. The manufacturer thus deprives worker of a substantial part of their daily earnings. On his part he has two gains, one saving in wages which he deducts from workers and sale of 'Chhant', though at a discount rate. Three categories of workers are engaged in this Industry. These are factory workers, household (as employed) workers and contract workers. In the case of factory workers, the manufacturer is the owner of the factory and the workers work under his supervision. They handle the rolling, heating, packing and labelling of bidies. The general practice is that employer gives bundles of bidi leaves to the workers on the previous day; workers soak them into water and cut them into suitable sizes at their homes and then bring them back to the factories for rolling on the following day. In the case of house-hold workers, the proprietor, instead of engaging them, distributes tobacco leaves and thread to these workers who are generally women and work at their homes. These workers roll bidies at their places and deliver them to the proprietor. The third category of workers, namely those who are engaged on contract, receive bidi leaves and tobacco through a contractor or Sattedar who is in direct touch with the proprietor. The bidi rollers usually prepare bidies at their homes and at times at the work-places as well. The prepared bidies are handed over by workers to the contractor who in turn takes them to the proprietor.

41.27. Amongst the three categories of workers, the first category alone comparatively suffers less from the effect of malpractices. The wages of remaining two categories, namely those who are household workers or work through contract, are subjected to a number of malpractices, the important being 'Chhant', a mention of which has already been made. Payment for piece rate ranges from Rs. 1.50 to Rs. 4/- per thousand in different States.

The practice of payment of wages largely differs from unit to unit and depends upon the basis of employment. In the case of time rated workers, the wages are fixed under the Minimum Wages Act. It is said that the higher rate of wages fixed under the Act in many cases has resulted into the shifting of industry to such neighbouring States where the wages are comparatively low.

Working Conditions

41.28. The working conditions of a large number of workers employed in Bidi and Cigar industry has been a subject matter of severe criticism both at the hands of the Royal Commission on Labour as well as the Labour Investigation Committee. The Royal Commission observed thus : "Many of these places (where bidies are prepared) are a small airless boxes, often without any windows where the workers are crowded so thickly on the ground that there is barely room to squeeze between them. The places are dark semi-basements with damp-mud floors, unsuited for manufacturing processes, particularly in an industry where workers squat on the floors throughout the working day. Sanitary conveniences and adequate arrangements for removal of refuse are generally absent".*

41.29. The miserable condition of work in respect of bidi workers was also noticed by the Labour Investigation Committee which commented : "Their condition so far as light, ventilation and sanitation are concerned, beggars description. They are dark, dingy places with very few, if any, windows and with approaches that are ugly and insanitary. Men, women and children are huddled together. Most of them have no laboratories. Where these exist, their sanitary condition is miserable".†

41.30. The Factories Act covered all bidi making establishments employing 20 or more persons. But as bidi making does not require much equipment or special premises, the application of the Act resulted in the fragmentation of factories. The bidi owners started getting manufacturing of bidies through agents—generally called Munshies, Thakedar or Sattedar—and also encouraged workers to take raw material for rolling bidies at their respective places. The Government of India advised the State Governments to extend section 85 of the Factories Act, 1948, to all bidi establishments. By such extension of the Act, every place where bidi making was done irrespective of the number of workers, could be covered by the Factories Act and the difficulties arising from the absence of employer-employee relationship could also be overcome to some extent. The Government of Maharashtra was the first to take action accordingly. But it was challenged in the Supreme Court. Though the action of Maharashtra Government was upheld but the way in which the matter was handled by the employers left no doubt that more effective steps had to be taken if the lot of bidi making workers was to be improved. A number of other State Governments namely Madras Government (now Tamil Nadu) passed a special act to regulate the conditions of work of bidi workers. The Governments of Kerala and Mysore too followed suit. The other States, however, did not take any action in the matter. Accordingly, it was decided by the Standing Labour Committee in December, 1963, that a Central legislation on the subject might be

brought into being to have measure of uniformity in the matter of regulation of the working conditions in the industry. The Parliament passed the Bidi and Cigar Workers (Conditions of Employment) Act, in 1966. The Central Government also framed model rules under the Act for the guidance of the State Governments. By April, 1968, the Act had been enforced in almost all the bidi producing States.

Salient Features of the Central Act

41.31. In the Central Act, an attempt has been made to cover even such workers as are working in their homes on contract basis. Liability in respect of contract labour has been passed on from the contractor to actual proprietor for whom the contractor employs the labour. The Act also contains provisions to tackle the evil practices of 'Chhant' or arbitrary rejection of bidies. It lays down a summary procedure for resolving any dispute regarding the supply of materials and rejection of bidies by the employers. Though the Central Act is comprehensive enough for regulating working conditions, it does not cover a substantial number of persons who are self-employed.

Welfare Amenities under the Act

41.32. The Act makes it obligatory upon the employers of factories in bidi making to maintain a certain standard of cleanliness and ventilation. The employer has also been made responsible to make effective arrangements to provide and maintain at suitable places within the establishment sufficient supply of wholesome drinking water for the workers. In every industrial premises, sufficient latrines and urinal accommodation of such types as may be prescribed by the competent authority has to be provided. Where blending or seaving or both of tobacco or warming of bidi in heat-oven is carried on, the employer is to provide such washing facilities for the use of employees as may be prescribed. The Act also lays down that in every industrial premises, wherein more than 50 female employees are ordinarily employed, there shall be provided and maintained a suitable room or rooms for the use of children under the age of 6 years of female employees. Every industrial premises is to provide such first-aid facilities as may be prescribed. State Governments may, by rule, require the employers to provide and maintain in every industrial premises, wherein not less than 250 employees are ordinarily employed, a canteen for the use of the employees.

41.33. The provisions of the Act are very impressive in so far as they go. But the Act has very limited application in terms of number of establishments. There are very few bidi factories which would employ 250 workers on a regular basis so as to be under a statutory obligation to open a canteen. Same is the case with the creche. Though women workers abound in this industry, the fact that the process of bidi making can be carried on within any household and on contract basis the employer is in a position to reduce the number of women workers within the factory premises to any minimum possible limit. In practice, therefore, these welfare provisions will hardly be able to reach any significant number of workers employed in bidi making.

*Report of the Royal Commission on Labour, page 96.

†Report of the Labour Investigation Committee, page 150.

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†Report of the Labour Investigation Committee, page 150.

41.34. What is worse still is that in most of the States, inspectorate for the enforcement of this Act has not yet started functioning. In some States, inspectors are being recruited who are to be trained and then put on the job. In some States, especially in Andhra Pradesh, the employers have gone in for writs to the High Court against the validity of this Act. Until these writs are cleared, the administration is not at all in a position to take any steps for the implementation of the provisions of this Act including the welfare provisions.

41.35. We selected this industry mainly for two reasons—(i) it has also been commented upon in detail by the two main investigating bodies in the field of labour prior to independence and (ii) even the Central enactment, though drafted on the lines of the Factories Act, has not made any headway in so far as its implementation is concerned. We, therefore, issued a detailed supplementary questionnaire [Appendix III(iv)] to concerned State Governments with a view to eliciting information from them as to whether an institution was required to be set up to provide welfare amenities to workers engaged in bidi and if so, what methods could be adopted to find finances for the provision of these amenities. The situation, as it is, now gives a clear indication of the fact that implementation of the Act is likely to take considerable time and even if the Act is declared *ultra vires* of the Constitution, it will not reach a sizeable number of workers engaged in bidi making. It may, therefore, be necessary to search for an agency which could provide, on a unified basis, much needed welfare amenities to a large number of workers employed in this industry. The sources of financing an agency to undertake the provision and administration of welfare amenities is another question which was posed to the concerned parties.

Minimum Welfare Amenities for Bidi workers

41.36. In the earlier parts of our Report, we have tried to lay down a basic minimum for all industries. Bidi and cigar making is a manufacturing industry. That is why a comprehensive enactment on the lines of Factories Act has been brought into being for workers engaged in this industry. The provisions of the Act have not yet been enforced, even though the rules have been framed. Presuming that the Act will be implemented in the course of time and the State Governments will have sufficient number of staff to ensure the translation of the provision of the Act into actual practice, the fact still remains that the Act does not cover workers preparing bidi in private dwelling houses, who form a large majority of the total number of workers engaged in this industry for any welfare amenity. Further, the Act does not provide for any recreational, housing, educational medical and health facilities. Almost all the major planks on which rests the citadel of labour welfare are, therefore, absent from the provisions of the Act. It is, therefore, only equitable that workers employed in this industry which is sweated in nature, is established and has been functioning over a large number of years, are assured of at least minimum basic welfare facilities. In our opinion such facilities should include (i) drinking water, (ii) mobile medical dispensaries, (iii) recreational activities like mobile cinema units including films on family planning and other documentary films, (iv) multi-purpose institutions, (v) loans on easy instalments to workers for building homes, (vi) accident benefits and (vii) cooperative societies.

41.37. Provision of mobile dispensaries, recreational facilities, and loans etc. for building houses are clearly outside the purview of Bidi and Cigar Workers Act but these amenities have been considered to be very essential. In the case of plantations labour, provision of these amenities is statutorily binding on the employer. In the case of factories, recreation and housing are outside the purview of statutory obligation in so far as Factories Act is concerned but alternative means have been found to provide medical and health care for factory workers and also to help them in housing accommodation through special Subsidised Industrial Housing Scheme. There is nothing of the type in so far as beedi and cigar workers are concerned. It is, therefore, essential that means must be found to provide welfare amenities to these workers.

Agency and Finances for the Welfare Amenities

41.38. During the course of oral evidence before the Committee in Madhya Pradesh, it was deposed by a representative of the State Government that Bidi industry was one of the lightly taxed industries. It had lucrative margin of profit and as such any reasonable burden on the industry for providing minimum welfare amenities referred to above should not be considered beyond the capacity of the industry to pay. The industry could, therefore, absorb the cushion of levy of a cess on it for the purpose of financing a Welfare Fund. This view was also shared at a number of other places during the course of the Committee's visits although varied views were expressed on the margin of profit of the industry. It was also suggested to the Committee that a portion of excise duty levied on tobacco be diverted to meet the expenditure on welfare for workers. According to the present practice, the cess on tobacco goes to the Consolidated Fund of India. The Union Ministry of Finance, which was approached by us in the matter, did not agree to release any funds out of the cess on tobacco for the purpose of financing welfare amenities. The State Governments of West Bengal, Bihar, Rajasthan, Tamil Nadu and Andhra Pradesh, as also the Union Territory of Pondicherry have favoured the idea of imposing a levy on the industry. Some of the States have gone to the extent of specifying the rate of levy. The Union Territory of Pondicherry have suggested a cess of 5% on production whereas the Governments of Rajasthan and Andhra Pradesh have advised that the cess should not be less than 1% on sales. The Government of Bihar are of the view that the cess should be levied at the rate of 5 paise per thousand biddies. The Government of Mysore have, however, stated that no cess was necessary because once the Bidi and Cigar Workers Act was enforced by the State Governments, it would go a long way in providing for welfare amenities to the workers.

41.39. In the course of observation studies conducted by Committee's Secretariat at two important centres of bidi production in Maharashtra, namely, Kampti and Gondia, some of the employers agreed in principle for a cess of 5 paise being levied for 1,000 biddis for the purposes of Welfare Fund.

41.40. Views on the quantum of cess differ. Even the proposal of levying a cess cannot be considered to be unanimous. But there is a near unanimity of the view that some measures will have to be devised to provide to the large mass of workers engaged in this industry with some welfare amenities. It is also accepted that for providing

welfare amenities some burden has to be cast on the employers. Others hold the view that the total burden need not be placed on the employers. While the employer should discharge his obligations of providing welfare amenities at the workplace and those which are not contemplated in the Act, has to be made by an agency which may operate on the basis of the State as a whole. Whatever be the agency, it is necessary that funds are placed at its disposal.

41.41. It is difficult to get at the exact economies of Bidi industry and bidi production. But the general impression gained by the Committee, during its discussions with the parties as also on the basis of observation visits paid to some places, leads the Committee to conclude that economy of the industry is not going to be disturbed or disrupted by the levy of a nominal cess, say, 5 paise per thousand bides, for providing welfare amenities to the workers. Neither is it felt that such a nominal sum would add to the cost of production unless the employer wants to make a capital out of it and militate against its imposition. The employer should rather welcome the step because simply by giving a cess, which too is quite nominal, on 1,000 bides, and which will not add up to his cost of production substantially or affect adversely his sale price or shrink his margin of profit he will pass on to the State a heavy burden not only to collect and administer such a fund, which may be raised out of the levy, but even to provide and maintain a large number of welfare amenities with all the attendant problems of administering them in this scattered industry. The levy/cess should, therefore, be welcomed. In one of the important bidi producing centres, the cost of production of 1,000 bides was found to be Rs. 7.28 on an average. At another place the range was between Rs. 7.80 and Rs. 8.10. Yet at some other important centres of bidi production in Maharashtra, it has been found that whereas cost price of 1,000 bides has been Rs. 9.25 and Rs. 8.20 respectively, the sale price has been Rs. 10.83 and Rs. 9.30 respectively. The workers have challenged these figures. But even so if to this cost of production another 5 paise are added for 1,000 bides, it is evident from the figures given in the earlier sentence that they would not in any way result in squeezing the margin of profits. Addition of another 5 paise is neither going to reduce the margin of profit of producer nor is it going to hit the consumer to the extent that he would have to pay much more for bides even though bides are generally consumed by the lower and the lower middle strata of the Indian society. Taking a balanced view of all the pros and cons of the problem we are of the opinion that the finances for providing welfare facilities to bidi workers should be organised by levy of a cess of 5 paise per 1,000 of bides.

41.42. As for the agency which must administer the provision of the welfare amenities, we have in Part VIII of this Report, suggested creation of statutory welfare boards in all the States. We have also detailed the activities that such boards should undertake. A large number of these activities are similar to the activities that we have referred to in the preceding paragraphs for bidi workers. The Government of West Bengal have stated that in the initial stages the administration of such a fund may be entrusted to the State Government which have already adopted extensive measures through

labour welfare centres. But the Union Territory of Pondicherry contend that machinery for administering welfare fund may be established at the State level. It should, in their opinion, comprise representatives of Government assisted by a committee of representatives of employers and trade union leaders. The Government of Madhya Pradesh have said that a scheme for setting up a Statutory Labour Welfare Fund for all industries located in Madhya Pradesh is being worked out. We learn that Madhya Pradesh Government are also bringing into being a similar fund and a separate autonomous board for the purpose. The Government of Bihar have suggested that the administration of welfare fund can be administered by a committee comprising equal representatives of employers, employees and States. They further suggest that the machinery should be established at local level because conditions of bidi workers differ from one locality to another and so do the wages. The Government of Rajasthan feel that welfare centres are mostly located in urban areas. It is, therefore, desirable that welfare fund be created for the welfare of workers residing in rural areas. The Government of Tamil Nadu have stated that the work of administering welfare fund for bidi workers may be entrusted to a tripartite autonomous body where representatives of all the three parties should be in equal number. Similar machinery can also be set up at regional level. The Government of Andhra Pradesh have suggested that for the present the administration of the fund may be entrusted to the district inspector of labour in consultation with a committee of employers and employees of the concerned industry in a particular district. The Government of Uttar Pradesh are the only exception to have opposed the constitution of a fund. They have expressed a desire that progress of implementation of Bidi and Cigar Workers (Conditions of Employment) Act, 1966 should be watched before any further step may be taken in the matter.

41.43. Elsewhere in this Report, we have already suggested that there should be a statutory welfare board in each State which must look after the needs of both covered and uncovered factory workers. It has been further recommended that it should also have a separate wing to look after the welfare need of uncovered plantation workers. We feel that instead of creating new machineries, which would only add to overhead costs, provision of welfare amenities to bidi and cigar workers, should also be administered by the proposed welfare boards.

COIR INDUSTRY

Introduction

41.44. Basically agro-based, Coir is a household industry. The common processes of work in this industry include soaking of coconut, husking, retting and beating of rooted husks to extract the fibre. The fibre is later spun into yarn either by hand or with the help of a spinning wheel. The primary processes which include retting and beating of retted husks are pretty hard and carried out in the backwaters on family basis. The operation is manual and requires good amount of physical exertion. The other processes which include spinning of yarn and manufacturing products like mats, mattings, carpets, etc. are carried out with or without power. Manufacturing units are, however, quite few. Out of a total of 1,31,019 units in the country only 2,216 are said to be engaged in the

manufacturing process. Of these too, only 145 units were registered under the Factories Act, in the year, 1966.

Location of Industry

41.45. Mainly concentrated in 8 districts of Kerala and in one district of Kanya Kumari, in Tamil Nadu, the Industry also exists in some other States too but to a very limited extent. The table given below indicates the location of units of Coir industry and pattern of employment in different States :

Number of Units in Coir Industry

State	Retting units	Hand-spinn- ing units	Spindle spinn- ing units	Manu- factur- ing units	Total
1. Kerala .	23,306	80,000	24,057	2,134	1,29,497
2. Tamil Nadu.	485	N.A.	710	39	1,234
3. Laccadives etc.	N.A.	N.A.	228	..	228
4. Andhra Pradesh.	..	..	5	8	1
5 West Bengal.	..	..	..	15	15
6. Mysore	..	..	6	7	13
7. Orissa .	..	..	..	2	2
8. Gujarat.	..	..	..	3	3
9. Mahara-shtra.	..	..	6	6	12
10. Goa .	..	..	..	1	1
11. Haryana	..	..	..	1	1
TOTAL .	23,791	80,000	25,012	2,216	1,31,019

Importance in National Economy

41.46. Coir industry occupies an important place in the national economy as a foreign exchange earner. More than 55% of the total production is exported to European countries and to the United States of America. In terms of money, this Industry had, at the end of Third Five Year Plan, exported goods worth Rs. 12 crores. The Fourth Five Year Plan seems to have drawn an ambitious programme of export, which is nearly double of the performance in the Third Five Year Plan. The demand of the product abroad has arisen in view of the many-sided uses to which the material is put. It is used for flooring furnishing and decoration. The internal consumption is going up.

Employment

41.47. Mostly unorganised and outside the purview of the Factories Act, authentic information with regard to the number of persons employed in the Industry is not available. According to the Coir Board estimates, the Industry with a capital investment of Rs. 5 crores approximately employs about 5 lakhs of workers. This excludes the number of household workers who may be engaged in

the plucking or in the retting of coconut into husks, as also spinning of coir yarn, as these processes are generally performed on a family basis by all the members of the family participating in various processes. Taken together with such self-employed persons, the total number of workers dependent upon the Coir industry can be roughly placed at 10 lakhs.

41.48. Out of 5 lakh workers supposed to be directly employed in this Industry, more than 2 lakhs are engaged in hand-spinning and spindle spinning sectors. More than 81% of the total labour force in the spinning sector consists of women; 13% are said to be children and the remaining 6% male adults. In retting and in beating processes also the women and child labour outnumber the male adults.

Existing Welfare Amenities

41.49. Only 6,000* workers are employed in such manufacturing units of this Industry as are covered by the Factories Act. This comes to less than 2% of the total number of workers employed in the Industry as a whole. But even this negligible number does not receive the benefit of welfare amenities as provided in the Factories Act because the number of workers in most of the factories is below the limit prescribed for providing canteens, creches, ambulance rooms, rest shelters, etc. A large majority of the workers employed in Coir industry, directly or indirectly, are thus not in receipt of any welfare amenities, statutory or otherwise. The only statutory benefit that seems to have accrued to these workers is fixation of minimum wages under the Minimum Wages Act which are quite low. Workers in an export oriented Industry, which earns good foreign exchange for the country should receive at least some, if not all, of the basic welfare amenities, even though some of them are self-employed. Information received from the Central Ministry of Commerce indicates, that the Centre had not drawn any scheme for giving welfare amenities of any kind for workers engaged in this industry. The Central Government maintained that funds from plan allocations had been made over to the Coir Board only for the development of Industry and for promotion of exports. Diversion of the funds for providing welfare amenities to workers could be done only at the cost of development of the Industry. The Ministry also stated that as most of the units were located in Kerala, it was the responsibility of that State Government to provide welfare amenities to workers in that Industry.

41.50. In response to our questionnaire the Coir Board, which is the Commodity Board for promotion and development of this Industry, sent us a detailed Scheme regarding the welfare of workers employed in the Coir industry. The Scheme included following welfare amenities :

- (i) Housing facilities.
- (ii) Creches.
- (iii) Water Supply facilities.
- (iv) Welfare Centres.
- (v) Recreational facilities.
- (vi) Medical aid, and
- (vii) Educational facilities.

*Indian Labour Statistics, 1966.

41.51. The Board also stated that "no welfare schemes for these workers (coir workers) have so far been taken up either by the Government or by the Coir Board. Among the number of workers in the Coir industry at the conservative figure of 4 lakhs, the incidence of welfare scheme will be less than Rs. 15 per worker of capital expenditure and less than Rs. 4.50 per worker per year of recurring expenditure. If with such low rate of expenditure the condition of a large sector of the Industry could be improved, the measures (suggested by it) deserve to be taken quickly in the interest of raising the strength and the stature of the industry detailed rules and procedure for the implementation of these schemes (namely above schemes) could be framed once the principle is accepted by the Government of India".

41.52. We requested the Ministry of Commerce, Government of India, which has direct interest in the matter, to favour us with their views on the welfare schemes for workers engaged in Coir industry. They stated thus: "This Ministry has no suggestions to offer. As regards the welfare facilities which the Committee should consider and recommend for Coir industry workers discuss this matter with the Kerala Government and formulate schemes which in the opinion of the Committee are likely to bring lasting benefits to the workers. The Coir industry is concentrated mostly in that State".

41.53. The Committee then again received a communication from the Coir Board where it was stated that the welfare scheme already prepared by it was primarily intended for workers engaged in the industry in Kerala. It was decided that a Common Scheme benefiting workers engaged in the Industry in different coconut growing States might be drawn up. The Board decided that a Committee of its members should make a study of the living conditions of the workers engaged in the industry in different coconut growing States. It also decided that a representative of the Committee on Labour Welfare might be requested to participate in the deliberations of the Board.

41.54. Accordingly detailed discussions were held later with the Chairman and members of the Coir Board at Cochin by our Member-Secretary with a view to finding out the reactions of the members of the Board as well as of employers' and workers' representatives connected with the Industry as to how welfare schemes for coir workers could be financed and provided. During the course of discussions, it transpired that there had been a continuous tendency amongst the bigger units of the industry to split themselves into smaller ones. Whatever welfare amenities were available to the workers under the Factories Act were thus continuously decreased when the number of people employed in new units were progressively reduced below the limits prescribed in the Factories Act for provision of welfare amenities like canteen, creche, etc. It was stated that this happened because burden thrown upon the big establishments as a result of statutory obligations was too much. They found it difficult to compete with such establishments as were under no statutory obligation to provide welfare amenities of any kind whatsoever. There had, therefore, been a tendency in the industrial establishment to get themselves decentralised because the contrast between the workers in the small and cottage industries, large industrial sector was so great that the big factory

owners found that it was not economically feasible to employ a large number of workers and provide all statutory welfare obligations. This resulted in decentralisation of big industries. Many small units have thus up in rural areas. Much of the raw material work was being done in the small units in rural areas. By doing so they had been able to get work done at very cheap rates and also avoid the application of labour laws. This, according to the Chairman of the Coir Board, had been a regular trend for the last few years and the drift seemed to be irresistible.

41.55. According to employers' representatives the decentralisation of Coir industry took place not because the employers were bad or were not progressive. The reason behind this decentralisation was to a great extent, due to the fact that the product of the Industry had to be sold in different markets. The market for coir is entirely a sellers' market. It has never been a buyers' market. Fragmentation takes place solely for the purposes of survival although no body would contend that workers should not get all benefits. The number of persons who are being actually benefitted by labour legislation, would be less than 1500 in the industry as a whole. The person who is most benefitted is a husk owner. It is he whose prices should be controlled. The workers must be given welfare amenities but finances for the same should come from the export duty which is levied by the Government. Any additional levy or cess on coir yarn was unthinkable. A levy of 3% and 1% on coir yarn and coir products respectively could be imposed for financing welfare schemes if 15% export duty was abolished. The industry's present condition does not warrant any additional cess to be levied for any purpose. The fund for financing such schemes should be found from elsewhere. The scheme for welfare facilities formulated by the Coir Board was very laudable and should be implemented. Even programmes of vocational training for the children of coir workers should also be added to the proposals of the Coir Board. A separate labour welfare fund could be constituted for the benefit of the coir workers by the levy suggested and also by suitable subsidies from the Central and the State Governments. Alternatively it was suggested that a cess at the rate of 25 paise per thousand retted husks in the case of Kerala should be an ideal source for financing the welfare schemes. As for the other States, same rate of levy may be collected on husks used for making mattress fibre. Nominal cess on all coir products might also be levied.

41.56. While impressing the need for provision of welfare amenities to coir workers and also agreeing to the levy of a cess for financing welfare amenities, it was emphasised in the course of discussions that the foreign market for Indian coir products continued to exist solely because of their cheapness. Maximum care should, therefore, be taken to ensure that the price of products was not, in any way, pushed up in our attempts to provide welfare amenities for the workers because any shrinkage of the market outside for the sale of coir products would not be in the interest of the workers themselves.

Our View

41.57. Coir industry is predominantly concentrated in Kerala. There are only a very few establishments in the State now which fall within

the specified limit of number of workers making it obligatory for factory employers to provide welfare amenities to them. Beyond this, no welfare amenities worth the name are being provided to coir labour either by the employers or even by the State Government. The Government of Kerala have fixed wages of different categories of workers employed in the Industry; a copy of the notification issued by that Government is appended. It is clear from the notification that the wages are very low. It is, therefore, beyond the capacity of any employee to provide any welfare amenities on his own. The wages of workers are not even sufficient to enable them to make their both ends meet in the present day high cost of living. That is why the Coir Board, which is primarily concerned with the development of the industry on proper lines, its marketability both at home and outside, considered it essential that there should be a comprehensive welfare scheme for the amelioration of labour in coir industry. The Board has suggested establishment of 37 centres at places of concentration of coir labour where welfare amenities of various types referred to in the preceding paragraphs could be organised and provided to the labour specially those relating to medical aid, recreational facilities, vocational training etc. We strongly feel that the Government of India should have accepted the scheme of the Coir Board, for a variety of reasons. The Board is the only Body which can render an objective advice to the authorities, both for the welfare of labour as well as for the good of the industry. The Board must have been motivated by the dividends that the provision of welfare amenities to workers would pay off in course of time by reducing the incidence of sickness and by increasing the productive capacity of a worker. Even without these considerations, coir workers are as much entitled to live a reasonably tolerable life as workers in other industries are. The fact that the nature of the industry is peculiar, the workers are employed in scattered units etc., should not stand in the way of provision of at least the basic minimum welfare amenities to the workers more so when most of them have been deprived of various benefits originally enjoined by them, progressively, because of the decentralisation and fragmentation of the large coir undertakings.

41.58. It is a matter of common knowledge that in Kerala most of present self-employed persons receive raw material from the bigger establishments and provide them with finished goods. Most of them were previously employees of the erstwhile bigger establishments. During the course of the discussions with some of the manufacturing establishments in coir industry between Cochin and Alleppey, the Member Secretary of our Committee was told by a big employer that he was providing all the welfare amenities stipulated under law, and even more in certain directions. Still he could compete with other units which did not provide any welfare amenities and could also sell his goods in the foreign markets. There was thus enough justification and margin for the creation of a welfare fund by levying of a nominal cess of 25 paise per 1000 retted husks and a nominal levy on the finished coir product. Thus it was contended that this would not affect the price, economy and export market of coir products. We are inclined to agree with this view. We, therefore, recommend that—

- (1) The Coir Board should be asked to draw a comprehensive Welfare Scheme for the

amelioration of coir labour in consultation with the Government of Kerala where most of the coir units are concentrated.

- (2) The Scheme so drawn should be operated by the statutory Labour Welfare Board which has been proposed to be set up in each State.
- (3) The finances needed for the execution of welfare schemes should consist of—
 - (a) levy of a cess of 25 paise per 1000 retted husks and a nominal cess on finished coir products and
 - (b) suitable grants from the Central and State Governments concerned.

FISHING INDUSTRY

Introduction

41.59. The Fishing industry in India is still developing as compared to other countries of the world. The prime factor responsible for this situation is said to be the traditional methods of fishing, which are still widely prevalent. The Industry is largely unorganised and the units are small. Fishing vessels generally used are of wooden crafts of less than 25 gross tonnes. These vessels do not come within the purview of the Merchant Shipping Act, 1958. Of late, however, with the special attention given to the development of modern fisheries, mechanised fishing vessels are being built in increasing numbers. These mechanised fishing crafts are covered by the Merchant Shipping Act, 1958, which defines a fishing vessel as follows:

“A ship fitted with mechanical means of propulsion which is exclusively engaged in sea fishing for profit”.

41.60. The small fishing crafts mostly in use are generally manned by the fishermen who learn their trade by experience gained through actual work at fishing vessels under the guidance of their parents and elders. The Industry is estimated to provide employment to about 5 lakhs fishermen.

Nature and Production of Industry

41.61. The Fishing industry is somewhat akin to farming. The increase in fish production is virtually an increase in the food production. The investment in development of fisheries has many advantages. It gives rise to the growth of several subsidiary industries and also stimulates their investment. Though by itself the Industry does not require much capital investment, yet there is acute poverty amongst fishermen largely because they are illiterate, tradition ridden, belong to backward classes and do not easily take to new methods of production. However, as a result of persistent efforts on the part of the authorities, both Central and States, about 6 thousand mechanised fishing boats are now operating in the country. The stress on developmental programmes, especially on the acquisition of trawlers and more mechanised boats is to be continued in the Fourth Five Year Plan as well. The fisheries cooperatives are also proposed to be expanded for better marketing and richer dividends. The development work on fishing harbours, namely, Veravel, Jaffarabad (1st stage) Navabundar, Porbunder, Umergaon, Karwar, Bhatkal, Gangoli, Bayapore, Cannanore, Balipatnam, Hinjom, Tuticorin, Cuddalore (IInd stage) is also

in progress. Preliminary investigations have also been made by setting fishing harbours in the major ports of Bombay, Madras, Cochin, etc.

41.62. The production of fish during 1965 was 13.3 lakh tonnes as against 13.2 lakh tonnes in 1964. Fish is also exported. The exports in 1965 were to the tune of Rs. 6.46 crores whereas in the first 10 months of 1966 the value of exports went upto a high mark of Rs. 10.69 crores.*

Existing Welfare Amenities

41.63. Welfare amenities to fisherman are not provided under any statute in the country; nor any welfare measures have been provided under voluntary measures by the employers. Generally these workers enjoy similar welfare amenities as are available to other sections of population.

41.64. Under the Merchant Shipping Act, 1958, welfare amenities provided to workers *inter alia* are crew accommodation, towel, mess, utensils, supply of medicines, grant of distress relief, establishment of hostels, clubs, canteens, libraries, provision of educational facilities, hospitals, medical treatment, etc.

41.65. Wherever fishermen are employed by State Governments, they are in receipt of welfare amenities as admissible to other State Government employees. In some States waters are put to auction for fishing rights every year to contractors of fishermen who come from adjoining States. These persons are not provided with any welfare amenities.

41.66. On the basis of the information received from the State Governments/Union Territories it has been gathered that the extent and scope of welfare amenities currently provided to fishermen community varied widely from one State to another. The details of welfare amenities, which are available to fishermen through the efforts of the State Governments or through the net work of cooperative societies set up for the purpose, are discussed in the succeeding paragraphs.

Cooperative Societies

41.67. The State Governments of Gujarat, Tamil Nadu, Kerala, Madhya Pradesh, Bihar have stated that number of cooperative societies had been set up in their States to look after the well-being of fishermen community. The cooperative societies are generally granting loans on long, medium and short term basis to their members for the purchase of fishing equipments, discharge of prior debts, repair of boats, nets, etc. Working capital loans are also granted to fishermen cooperative societies for running fair price shops, marketing of fish, running of net making industry, etc. In Madras under the subsidised cotton yarn scheme, the yarn is distributed to fishermen at 85% cost.

41.68. In the State of Gujarat, there is a Fisheries Central Marketing Association Ltd., an apex organisation to which most of the primary fisheries societies are affiliated. This Association has insulated road vans and carrier launches for the proper and hygienic transport of fishing. The requirements of nylon, fishing twin engine and motors for mechanising the fishing boats are sup-

plied through the Association. During off season the Association also advances loans and recovers the same by hypothecating the catches.

41.69. The cooperative societies in Kerala are imparting training to fishermen in the operation and maintenance of mechanised fishing boats. Boats are given to fishermen on subsidy and hire purchase system. Recovery of the subsidy or the cost of the boat is made in 6 years in 54 instalments. The instalments need not be paid during off season.

Educational Facilities

41.70. Some of the States have opened night schools, in places where there is a large concentration of fishermen, to impart primary education to their children. Gujarat Government have set up primary schools in small villages. The subjects taught in these schools relate to fishing trades such as carpentry, net making, etc. The adult education classes are also organised at some of the centres.

41.71. In Tamil Nadu Fisheries Department is running three secondary schools exclusively for the fishermen community in the coastal fishing villages. Mid-day meals scheme for children of fishermen is also in vogue. The Kerala Government gives scholarships to fishermen's children for college courses. In 1967-68, an amount of Rs. 44,000 was granted towards such scholarships.

Housing Facilities

41.72. In Tamil Nadu several housing schemes are under way. There is a departmental housing scheme in which Government sanctioned an expenditure of Rs. 1 lakh for the year 1968-69. One hundred houses for fishermen are being constructed under this Scheme. Each fisherman is given a subsidy of Rs. 750/- and interest free loan of Rs. 250/-. The Kerala Government is giving a thatching grant to fisherman at Rs. 15/- per hut. Committee consisting of the Panchayat President, Village Officer and the concerned Fishery Inspector is entrusted with the work of preparing list of deserving fishermen and of distributing the grant among them. So far an amount of Rs. 5,01,255 had been distributed. Besides, Kerala Government formulated a Scheme, at the commencement of the Third Plan, for providing houses to fishermen all along the Coast in a phased programme. Till the end of 1965-66, 260 houses had been constructed at a cost of Rs. 5.22 lakhs. 301 and 240 houses during 1967-68 and 1968-69 at the cost of Rs. 8.75 lakhs and Rs. 14.50 lakhs respectively, are expected to be constructed. Generally the fishermen community is housed in small villages situated at considerable distances from the town or city. Housing invariably consists of bamboo, mud-walls and thatched roofs. Sanitation is virtually non-existent in all such cases; good drinking water too is a major problem in majority of such villages.

Recreational Facilities

41.73. Cultural centres have been set up in the State of Gujarat by the Fisheries Department in various villages to provide recreational facilities to fishermen. The primary cooperative society is giving

*India, 1967., Pages 225-226.

financial assistance for the purchase of items like community radio, indoor games, books and periodicals, musical instruments, etc.

Training Centre

41.74. A Training Centre, to teach youth the maintenance and proper care of engine, basic principle of seamanship and navigation, fabrication, of different types of fishing gear and operation of these gears etc., has been set up by the State of Gujarat. The Centre has a mechanised boat fitted with necessary equipments for imparting training to young fishermen. The trainees are paid a monthly stipend of Rs. 50/- and sea Allowance of Rs. 15/- during the period of training. Soon after the completion of the training, which is generally of 10 months' duration, the trainee starts operating mechanised boat or work as driver or deckhand in other mechanised boats.

41.75. Training facilities are also available at Government cost in Fisheries Training School in modern scientific methods of fish catching in the State of Bihar.

41.76. Fishermen cooperative societies in Kerala are sponsoring workers for training in the operation and maintenance of mechanised fishing boats, fabrication and operation of modern fishing gears, navigation and in modern fishing methods for a period of 38 weeks. During the training period the trainees are given a stipend of Rs. 100/- per month.

Distress Relief

41.77. In Tamil Nadu, fishermen, who are affected by natural calamities, are given financial assistance by the Fisheries Department. In this case also a portion of the expenditure is given as subsidy and the rest as loans. Fishermen affected by sea erosion are given alternative land for rehabilitation. Only one-fourth of the cost of the land is recovered from the fishermen and the rest is paid by the Government.

41.78. The State of Tamil Nadu have also started a fund known as 'Fisheries Distress Relief Fund'. The fund extends financial assistance to the fishermen for replenishing the nets washed away, nets destroyed by fire, or lost, for the repair of boats, soil cloth, etc. Fishermen are given assistance in kind on 50% subsidy and 50% loan basis subject to a maximum of Rs. 100/- in each case. Relief measures are sanctioned in kind and cash to the fishermen affected by natural calamities like fire, flood, cyclones, etc.

41.79. In Kerala State, financial assistance is given out of a Relief Fund to the bereaved families of fishermen who reside permanently within the State, who lose life while fishing and when there is no other bread winner in the family to depend upon. The Fund also provides financial assistance to fishermen totally disabled or incapacitated due to accident while fishing; Rs. 1000/- in case of death, Rs. 750/- for permanent disability and Rs. 500/- for loss of thumb or limbs making sea going impossible. During the year 1967-68 a sum of Rs. 30,000 was sanctioned to 32 families under the Fisheries Relief Fund.

Community Amenities

41.80. In the State of Kerala the provisions of latrines, community hall, supply of drinking water

to the fishermen, construction of loading centres, markets and feeder roads, etc. are some other amenities which have been made available to fishermen community.

Our View

41.81. Welfare amenities in varying degrees and of different types are provided to fishermen by Fisheries Department of the State Governments. It seems that the nature and extent of the amenities provided have been dictated by the needs of the time or the pressure brought to bear upon different State Governments by the cooperatives of the fishermen or by the fishermen themselves or by the State Governments out of their desire to develop fisheries and make the life of fishermen as comfortable and accident-free as possible. That is why we find that generally in States like Tamil Nadu, Kerala and Gujarat more attention has been paid to the lot of fishermen and even special funds, such as, Fishermen's Relief Fund, have been set up to give relief in distress and also compensation in case of death or disability. Grants are also given for house building. Cooperative Societies are encouraged, though these Societies generally limit their activities to get further fishermen a reasonable return on their produce and extend them loan facilities for purchase of boats, engines, etc. By and large these Co-operative Societies do not undertake any welfare work as such.

41.82. Great anxiety was expressed for affording welfare amenities to fishermen, during the course of evidence before the Committee by representatives of State Governments, trade and workers. The State of Kerala have suggested that as the workers are exposed to vagaries of weather and work under hazardous situations they should be brought under a compulsory Insurance Scheme. A similar suggestions has also been put forward by the State of Gujarat. The Government of Maharashtra have since passed an Act namely Maharashtra Mathadi Hamal and Other Manual Workers (Regulation of Employment and Welfare) Act, 1969.

41.83. Fishing is one of the important industries in India, more so, when it is for all practical purposes a part and parcel of food production. A good deal of emphasis is laid by the authorities on changing the food habits so that the import of food stuffs like wheat and rice etc. is reduced. Keeping in view the importance of fishing, sustained interest is being taken by the Planning Commission for the development of fisheries. Considerable progress has taken place in the matter since Independence. Fishing industry is not now confined to coastal areas only. It is in fact carried on in all parts of the country, in rivers, ponds and even in places like Himachal Pradesh and Madhya Pradesh where special efforts have been made to breed fingerlings of different culture. A large number of workmen, who cannot be estimated, are, therefore, employed in this Industry. It is, therefore, necessary that due attention should be paid to the welfare of the fishermen. The importance of welfare has been recognised by the Coastal States and different schemes evolved but they hardly touch the fringe of the problem and even the schemes which have been evolved do not go far. We, therefore, feel that a lead should be taken in the matter by the Ministry of Agriculture at the Centre who should, in consultation and coordination with the concerned State Governments, evolve

model rules or lay down guide-lines for different States to follow in the field of welfare amenities and also for enabling the cooperative societies to take greater interest in the provision and administration of welfare amenities, besides attending to development work.

41.83. There could be a Central Legislation on the pattern of other Central legislations with powers to enable the States to frame schemes and rules thereunder suiting local conditions and requirements at places wherever there is deep fishing through high powered boats employing sizeable number of fishermen. We, further, recommend that the Central as well as the State Governments should earmark a part of Plan funds for provision and development of welfare amenities to fishermen. To augment these funds, we further recommend that a nominal cess either per kg or per tonne on the fish sold by Cooperative Societies or otherwise be levied by the State Governments. These funds should be administered either by the Department of Fisheries in each State, which are directly connected with the development of fisheries so that the welfare programmes are integrated with the development programmes or by the statutory Labour Welfare Boards.

SALT INDUSTRY

Introduction

41.84. Salt is an essential commodity. According to the Constitution of India, the manufacture and distribution of salt is a Central subject and is administered by the Salt Commissioner of the Government of India. The Central Excise and Salt Act, 1944, the Salt Cess Act, 1953 and the Rules made thereunder lay down provisions for the proper and planned development of Salt Industry to meet the increasing demand for salt for edible purposes, industrial use and for export to foreign countries. Under the Central Excise Rules, 1944 Salt Commissioner is the only licensing authority for manufacture of salt if the area proposed to be developed for this purpose is more than 4.04686 hectares (10 acres).

41.85. Under the Salt Cess Act, 1953, Department of Salt Commissioner is also responsible for the promotion and development of cooperative societies in the Salt industry and execution of developmental and labour welfare work in the salt factories,* advance of loans to salt manufacturers in consultation with the Central and Regional Advisory Boards constituted under Act. For carrying out these duties, the Salt Cess Act, vide Section 3, prescribes the following rates of cess :—

- (a) In the case of salt manufactured in a

private salt factory—@ 2½ annas per standard maund.

- (b) In the case of salt manufactured in a salt factory solely owned or solely worked by the Central Government—@3½ annas per standard maund.

Section 4 also lays down that proceeds of cess shall be utilised on all or any of the following objects:—

- (a) meeting the expenditure incurred in connection with the salt organisation maintained by the Central Government ;
- (b) meeting the cost of measures taken in connection with the manufacture, supply and distribution of salt by Union agencies and the regulation and control of the manufacture, supply and distribution of salt by other agencies ; and in particular, measures for :
 - (i) the establishment and maintenance of research stations and model salt farms ;
 - (ii) the establishment, maintenance and expansion of salt factories ;
 - (iii) fixing the grades of salt ;
 - (iv) promoting and encouraging cooperative effort among manufacturers of salt ; and
 - (v) promoting the welfare of labour employed in the salt industry ;

Salient Features of the Industry

41.86. The Salt industry is located in the State of Andhra Pradesh, Gujarat, Kerala, Tamil Nadu Rajasthan, West Bengal and Orissa. For the cularly the monsoon. Heavy and continuous by three regional offices at Bombay, Madras and Calcutta. The fourth region, namely, Rajasthan has been set up recently. The production of salt largely depends upon climatic factors and particularly the monsoon. Heavy and continuous rains not only upset the production schedule but also cause great damage to the Industry. In the Industry, there are two types of manufacturing sectors, namely, licensed sector and the unlicensed sector. The licensed sector has major acreage under it and consists of bigger units compared to unlicensed sector where acreage is comparatively smaller and work is done generally on family basis.

41.87. Available information shows that among the licensed units, majority of factories (definition already indicated earlier) have cultivation of 500 acres. The information given in the table† below brings out the position clearly.

City	Total No. of units	Acreage		
		100- 499	500- 999	1,000 and above
Madras	40	32	5	3
Calcutta	11	3	6	2
Bombay	164	114	14	36

*'salt factory' includes :

- (i) a place used or intended to be used in the manufacture of salt and embankments, reservoirs, condensing and evaporating pans, buildings and waste places situated within the limits of such place, as defined from time to time for the purposes of the Central Excises and Salt Act, 1944;
- (ii) all drying grounds and storage platforms and storehouses pertaining to any such place;
- (iii) land on which salt is spontaneously produced and

a 'private salt factory' is one not solely owned or not solely worked by the Central Government.

†Information regarding Rajasthan is not available.

It will be seen that out of 215 units for which information is available, 149 i.e. 68% were of the size of less than 500 acres; 25 or about 12% were in the group of 500-999 and or about 20% were big cultivations, namely, 1000 acres or above. In this chapter we are largely concerned with the welfare amenities for those workers who are employed in small-scale and cottage units of the Industry.

Employment

41.88. Exact number of workers employed in the Salt industry region-wise is not known. However, according to the figures available with the Salt Commissioner the average number of labourers in the Salt Industry during the year 1967 was 33,700. Out of this about 20,000 workers are distributed over the regions mentioned above. More than 40% of workers are concentrated in the Madras region. Majority of workers in the Industry are employed in embankments, reservoirs, condensing and evaporating pans, drying grounds, storage platforms etc. Only a small percentage of workers is engaged in the refining plants. In some big refining plants, a sizeable number of workers are employed.

41.89. Workers in this Industry, due to the scattered nature of work and isolated situation of the cultivation area, are not well-organised although unions at the unit level exist in most of the cases and in some regions, have now come up at the regional level also.

Cooperative Societies of Workers

41.90. The policy of the Government is to permit cooperative societies of workers to take up the manufacture of salt. In pursuance of this, cooperative societies have been set up in all the regions. In all, there are 31 cooperative societies having membership of 4225. These societies have, however, very limited acreage allotted to them. Out of 31 cooperative manufacturing units only 12 were having 100 or more acres under cultivation. The structure of employment in the case of this group is family-based including employment of a good number of women.

41.91. As the Industry is of a seasonal nature, a substantial number of workers in the Industry are employed through contractor or on a temporary basis.

Welfare Amenities

41.92. With a view to obtaining first hand information on the nature and extent of welfare amenities available to salt workers, we addressed the Salt Commissioner as well as some of the salt manufacturing units. In spite of our best efforts, we could get detailed information only from Sambhar Salts Limited, a Government of India undertaking. On the basis of information contained in this reply as well as information gathered during the course of discussions held with some of the concerned parties, a brief resume of existing welfare amenities to salt workers is given in the succeeding paragraphs.

Facilities at the Place of Work

41.93. At the place of work, facilities like rest shelters, creches, latrines or urinals, drinking water, washing facilities etc. are required to be provided

under the Factories Act. Although in majority of cases there are general workshops, power houses, iodization plants, edible salt works etc., and in normal course they are covered under the provisions of the Factories Act and the employers are obliged to provide welfare amenities, yet these facilities have been provided in a very few cases. Due to the peculiar and special conditions of employment in the Salt Works, which are spread over larger track of land, no creche has been provided on account of the above difficulty although more than 50 women workers are employed. Similarly, facilities of canteen cooperative store etc. are also lacking.

Welfare Facilities Outside the establishment

41.94. Due to paucity of information on the subject, it is not possible to say much about the existing amenities provided to the workers of this Industry. The nature of the Industry is such that the work sites are scattered over large areas and adequate arrangements do not exist for transporting the workers to and from the work place. In their reply, Sambhar Salts Limited have stated that their works are connected by metre and narrow gauge permanent way tracks and there are metre trollies and push trollies for going to the work site. However, this mode of conveyance is only utilised by the officers, supervisory staff and engineering staff. No arrangements are made for transport of workers from their places of residence to the workshops.

41.95. A consumer Cooperative store has also been provided by them. It has been stated by them that there is a difficulty in getting controlled commodities from the District Supply Deptt. However, all types of essential commodities are sold by the store. The management has contributed Rs. 5,000/- towards Share Capital besides Rs. 3, 500/- as an advance and Rs. 3,800/- as grant-in-aid and subsidy. The affairs of the store are managed by a Managing Committee consisting of the nominated representatives of the management and elected representatives of the share holders.

41.96. From the above it will appear that the Sambhar Salts Limited have provided welfare amenities except canteen facilities of reasonable standards to their workers even though it is one of the best and the largest undertakings in the Industry. But this does not represent the position in the Industry as a whole. There is a sizeable number of private owners who are engaged in the manufacture of salt and a good number of workers are employed by them. In many cases they are of small means. As the Industry is seasonal there is a general practice to have the work done through daily rated workers or through contractors. In such a situation, it can safely be presumed that the workers in this Industry are not provided with suitable welfare amenities.

41.97. This view was also expressed by the workers' organisations which appeared before the Committee during the course of its visit to Sambhar Salt Lake. In Jaipur also a representative of the Rajasthan Government deposed before the Committee that although considerable sums had been collected under Salt Cess Act nothing tangible has been done to provide welfare amenities to workers employed in salt although one of the objects of the cess is to provide welfare amenities to salt workers.

41.98. Section 4 of the Salt Cess Act, 1953 lays down the heads on which the proceeds of the cess on Salt should be spent by the authorities and under section 4(b) (v) certain portion of the cess is required to be spent on promoting the welfare of labour employed in the salt industry. The Committee notes with regret that during 1967-68, out of the total cess collection of Rs. *1,04,28,287, Rs. 40,41,296 were spent on establishment charges, Rs. 29,04,528 on Royalty and Compensation, and Rs. 6,74,080 or 6% was spent on both developmental and labour welfare works.

41.99. The need for the provision of a reasonable standard of welfare amenities to salt workers, like any other workers, can hardly be denied. Realising this need and also keeping in view the peculiar conditions obtainable in this Industry, the Government of India had themselves enacted a special legislation exclusively for this Industry itself. A cess was also levied for development and welfare amenities. It is a paradox that while the State should continuously go on striving for the provision of more and better welfare amenities in the case of all industries there has not been a definite allocation in the case of salt workers for providing welfare amenities to them. We, therefore, very strongly feel that a definite and sizeable portion of the cess collected under the Salt Cess Act, 1953, be set apart for the welfare of salt workers. We further recommend that this amount should either be given to an autonomous body which should be created on an all India basis for providing welfare amenities to salt workers or allocations be made of this fund to the statutory labour welfare boards which we have proposed for all the States.

41.100. As at present there is no definite pattern for providing welfare amenities to salt workers both inside and outside the workplace. While inside the workplace provisions of Factories Act apply and lay down the standard for providing welfare amenities, no pattern has been evolved for non-statutory welfare amenities. We, therefore, further recommend that as salt is a central subject, Government of India in consultation with the concerned State Governments should evolve guidelines for providing the pattern and extent of welfare amenities to the salt workers.

LEATHER INDUSTRY

Introduction

41.101. The Leather Industry broadly includes curing and tanning, manufacture of shoes, chap-ples, wearing apparels, etc. This Industry has both organised as well as small-scale and cottage sectors. The latter sector is spread over rural areas as well as in urban areas in the form of small shoe-making establishments. In this chapter, we are largely concerned with provision of welfare amenities in the small-scale and cottage sector of the industries.

Concentration and Employment

41.102. According to Survey of Labour Conditions conducted by Labour Bureau, in Simla, 1965-66, Leather Industry is primarily concentrated in the States of Tamil Nadu and Uttar Pradesh, accounting for about 52 and 20 per cent respectively of the total average daily employment during the year 1965†. The exact data with regard to workers in the small-scale sector is not available. However, in the case of factory establishments, information is available for the year 1966. There were 381 factories employing 44,000 workers in footwear, other apparel and made-up textile goods and 490 factories employing 26,000 workers in leather and leather products (except footwear).....

41.103. The process of leather tanning and finishing is carried on cottage basis in rural areas. Although full details are not available, but according to Khadi and Village Industries Commission Report in 1966-67, this Industry provided employment to about 1,174 full-time and 8,778 part-time workers. These figures are, however, an underestimate.

Export Potential

41.104. Leather Industry occupies an important place in the international trade in leather products. The Industry made significant contributions both in World War I and II by supplying leather footwear and other defence goods. During the last three years, there has been greater emphasis on meeting the civilian needs. Table† below gives an idea of the volume of export connected with this Industry :—

(Rupees in crores)

Items	Years		
	1966-67	1967-68	1968-69 (April-January)
1. East India Tanned Hides and Skin	44.00	34.81	41.50
2. Finished Leather	4.06	5.12	1.23
3. Chrome tanned	13.63	13.22	14.28
4. Footwear	8.78	9.16	6.56
TOTAL	70.47	62.31	63.57

*Source : Report of the Salt Deptt. for 1967-68.

†Survey of Labour Conditions in Tanning and Leather Finishing—1965-66 (Report not published).

‡Source : Basic statistical material relating to Foreign Trade Production and Prices (Vol. XI No. 4) 1968 supplemented by the information collected from the Economic Division of the Planning Commission.

Conditions of Work and Welfare

41.105. The statistics of number of factories and employment given there in shows that a large number of factories employ a very small number. Barring a few factories at Kanpur like Copper Allen & Company under British India Corporation (now taken over by the Government of India) and Bata Shoe Company, which employ a sizeable number of workers, the rest of the factories in India employ only a small number. The Royal Commission on Labour, which studied this Industry, reported that "in every case (in contrast to some of the larger tanneries which came under the Factories Act) we were struck by the lack of adequate sanitary arrangements, which make the bulk of such places even more offensive than is inevitable from the nature of the Industry. Adequate drainage was absent and often the whole earth, floor, space, spread over a wide area was littered with heaps of evil-smelling refuse and sodden with pools of filthy water. There were no washing arrangements and in majority of cases, no latrine accommodation."*

41.106. The Labour Investigation Committee arrived at somewhat similar conclusions. Subsequently in 1956-66, the Labour Bureau, Simla, conducted an intensive survey to review the position in factories covered under the Factories Act, 1948. According to the Survey, majority of factories were very small and welfare amenities had largely been denied to workers.

Special Studies made

41.107. In the circumstances we thought it appropriate to make an intensive study at two selected centres, namely, Agra and Kanpur so as to know the existing position with regard to conditions of work of leather workers. We also visited Bata Shoe Company, Bata Nagar in West Bengal. We visited some establishments in Agra as well but requested the State Government to make a sample study of the welfare amenities available to workers and welfare amenities that ought to and could be provided.

Study of Leather Industry at Kanpur

41.108. The study covered 33 units out of 44 registered under the Factories Act, 1948 and all the 35 small units covered under the U.P. Shops and Commerical Establishments Act, 1962. These units employed 4,964 and 251 workers respectively. The results of the Study indicate that the Industry does not employ women workers to a large extent. Bigger units are mostly covered under the Employees' State Insurance Act, 1948; the Employees' Provident Fund Act, 1952; and U.P. Maternity Benefit Act, 1938. Thus workers in bigger units have been provided with necessary welfare measures. Besides, workers are eligible to get houses under the Subsidised Industrial Housing Scheme. In the Copper Allen & Company referred to earlier, facilities like fair price shops and co-operative credit societies also exist. The amenities provided in Government Labour Welfare Centres are also available to these workers. The Study, however, reveals that the workers in this Industry are socially and educationally very backward. No

serious effort has also been made to propagate the family planning measures amongst them.

Study of Shoe-making Industry at Agra

41.109. Agra is a premier centre for shoe-making and occupies an important place in the export market in shoes. The Study covered 105 units employing about 1900 workers. There are total 445 shoe-making units employing about 8,000 workers. The Study revealed that 70% of the sampled units were employing less than 20 workers and only 7% over 40 workers. Majority of the employees (94%) are adult males and the rest 6% children. Besides this group, large number of workers are employed on cottage basis. It is estimated that such a group consists of about 40,000 workers out of which about 30,000 persons would be petty shoe-makers who manufacture average quality or sub-standard shoes. They are known as "Namawallas" and "Dalliwalls" and are generally self employed persons who work at their residence or at other work-places with the members of their families. These persons are not employed by any body and as such have not been taken into account.

Capital Investment and Turnover

41.110. The Study conducted by the Government of Uttar Pradesh has revealed that the Leather Industry as a whole has sound capital investment, good turnover and also earns considerable foreign exchange. The rate of investment per unit in the case of shoe-making industry is pretty high. It roughly comes to about Rs. 70 lakhs. The average value of production per unit comes to about 4 or 5 times its capital investment. At Agra, the average total income per factory in 1965, 1966 and 1967 was Rs. 3.53 lakhs, Rs. 3.95 lakhs and Rs. 5.42 lakhs as against average value of production per factory, namely, Rs. 1.89 lakhs, Rs. 2.32 lakhs and Rs. 2.39 lakhs respectively. Thus the Industry on the whole has a satisfactory margin of profit to undertake certain welfare measures for the workers, hitherto not covered by any statutory welfare amenities.

Our views

41.111. A review of the existing welfare amenities available to workers in Leather Industry shows that a good deal of lee-way has yet to be covered in providing satisfactory welfare measures to workers employed in this Industry. This was also stated by the representatives of workers' organisations who tendered oral evidence before us during the course of our tour to the State of Uttar Pradesh, specially at Kanpur and Agra, the two major leather producing centres in the State. Workers also stated that even the statutory welfare amenities, wherever applicable, were not being properly enforced. A large number of the factories being small scale did not fall within the purview of the statutory welfare measures and also did not pay any attention to provision of non-statutory welfare measures as well. During the course of discussion with them as to what could be done for providing welfare amenities to the workers and how the finances for the same could be raised, it was suggested that the funds could be raised by levying some cess on total production or on the wage cost. A portion of export earnings could also be utilised for the welfare of leather and shoe workers. These funds might be credited to the State Welfare Fund.

The employers' representatives, however, did not favour the proposal on various grounds and stated that wherever the law required them to provide certain welfare amenities, they were doing so. It was in the nature of the economy of this Industry that most of the units were small scale and as such they were not required to give welfare amenities by law. They should not be compelled to do so otherwise.

41.112. During the course of our observation visits to Agra, our attention was also invited to the mal-practices prevailing in the shoe-making trade such as 'parchi' system. Under this system, petty shoe-makers are given payment in the form of 'parchi' which they can encash after some time and if they needed money immediately, they could do so on payment of some discount. The middle-man and financiers of this industry are, therefore, getting enough advantage which they should share with workers. The situation can perhaps be remedied by starting cooperative credit societies as well as producers' cooperative societies so that petty shoe-makers may not be exploited at the hands of middle-men.

41.113. As regards the provision of welfare amenities, we would like to endorse in this case as well our general stand that time is ripe enough to ensure that welfare amenities are provided to all the workers irrespective of the size of the undertaking in which they are employed and if an individual undertaking is not in a position to do so, collective efforts in the matter have got to be undertaken. In the case of leather goods and shoe-making industry as well, we therefore, recommend that funds should be found by levying a cess on total value of the production of leather goods produced in the country.

41.114. We are in favour of creating any separate agency for the administration of this fund. The Statutory Labour Welfare Board, recommended to be set up in each State, can also undertake the provision of these amenities more so when the Industry is generally located in urban areas. We,

therefore, recommend that funds referred to above be placed at the disposal of the Statutory Labour Welfare Boards.

GLASS BANGLE INDUSTRY

41.115. Mainly concentrated at Ferozabad in Uttar Pradesh, this Industry also exists in Maharashtra and Tamil Nadu. When the Committee paid a visit to Ferozabad the representatives of employers and workers present there made a request that the Government of Uttar Pradesh might conduct a detailed study in the economy of the Industry at Ferozabad where 1256 establishments were engaged in various processes connected with Bangle making. The Study, it was contended, would throw considerable light on the economy of the Industry and would also indicate the range and scope of the welfare amenities which were available to workers and which needed to be augmented. The workers' representatives felt that the employers could provide a good number of welfare amenities but were not doing so far one reason or the other and the enforcement machinery too was not in a position even to get statutory obligations enforced properly.

41.116. As Bangle making Industry is one of the important consumer industry in the country, the demand for which is constant, both at home and abroad, we felt that it would be worth-while to get a detailed study conducted by the Government of Uttar Pradesh. Accordingly, we requested the Government of Uttar Pradesh to get a detailed Study done for the benefit of the Committee which that Government did.

Findings of the study.

41.117. **Employment Potential:** The Study revealed that 1256 units which comprised bangle making factories 'pakai bhattis', bangle cutting factories, and godowns employed 22,857 workers. The distribution of these workers as per four classifications of the establishments, is given in the following table :—

TABLE I

	Total No. of units	No. of units in the sample	No. of employees in the sample	Estimated No. of employees
(i) Bangle-making factories	72	14	1,540	7,920
(ii) Pakai Bhattis	356	50	362	2,577
(iii) Bangle Cutting factories	123	19	1,508	9,762
(iv) Godowns	705	11	409	2,598
	1,256	194	3,819	22,857

41.118. Ferozabad can rightly be said to be a city of manufacturers of various kinds of items of glass industry. On the whole not less than 80,000 persons are supposed to be engaged in the glass industry of Ferozabad including the manufacturers of glass-ware, fancy-toys and scientific glass, etc. These employees were not covered by the Study

conducted by the Government. It also did not cover workers engaged in small cottage shops and self-employed persons in the process of bangle-making.

41.119. From amongst 22,857 workers, 7,920 have been estimated to be engaged in bangle-

making, 2,577 in 'pakai bhattis', 9,762 in bangle cutting and 2,598 in godowns. Sex-wise distribu-

tion of employees is given in the following table:—

TABLE II

Types of employees	Bangle making		Pakai Bhattis		Bangle cutting		Godowns		Total for industry	
	No.	Percentage	No.	Percentage	No.	Percentage	No.	Percentage	No.	Percentage
(i) Male	1,447	94.0	362	100.0	1,503	100.0	397	97.1	3,714	97.3
(ii) Female	93	6.0	nil	nil	nil	nil	9	2.2	102	2.6
(iii) Children	nil	nil	nil	nil	nil	nil	3	0.7	3	0.1
TOTAL	1,540	100.00	362	100.0	1,503	100.00	409	100.00	3,819	100.0

41.120. This table makes it clear that no female or child worker is employed in the 'Pakai' bhatties and bangle cutting operations. The work in those operations is done wholly by male workers. The Study also made a classification of workers em-

ployed in bangle-making industry, category-wise. The following table reveals that a large number of workers are temporary, casual or are employed by contractors and only a very small percentage of them is employed on permanent basis:—

TABLE III

Table showing the number of employees categorywise

Types of employees	Bangle making		Pakai Bhattis		Bangles cutting		Godowns		Total for the industry	
	No.	Percentage	No.	Percentage	No.	Percentage	No.	Percentage	No.	Percentage
1	2	3	4	5	6	7	8	9	10	11
(i) Permanent	78	5.1	nil	nil	45	3.0	129	31.5	252	6.6
(ii) Temporary	1,299	84.4	362	100	1,463	97.0	166	40.6	3,290	86.2
(iii) Casual	78	5.0	nil	nil	nil	nil	11	2.7	89	2.3
(iv) Contract	85	5.5	nil	nil	nil	nil	103	25.2	188	4.9
(v) Others	nil	nil	nil	nil	nil	nil	nil	nil	nil	nil
TOTAL	1,540	100	362	100	1,508	100	409	100	3,819	100

41.121. The employees are generally temporary in 'pakai bhatties' because of the nature of work involved in this process which is not being carried out regularly. In bangle making units too, a preponderant majority of workers, namely, 84.4% is temporary, 5.1 per cent permanent, 5% casual and 5.5% contract labour. Similar position obtains in bangle cutting units where as high a percentage as

97% constitutes temporary employees.

Economy of the industry.

41.122. The Study made of the economy of the Industry was based on the information supplied by the employers in the absence of any published data on the subject. On the basis of the information supplied the position of capital investment in

respect of 194 units covered under the Study is given in the table below :

TABLE IV
Table showing the investment position of the units.

Investment	No. of Units					
	Bangle making	Pakai Bhattis	Bangle cutting	Godowns	Total	
					No.	Percentage
1	2	3	4	5	6	7
1. Upto Rs. 10,000	..	50	6	75	131	67.5
2. More than Rs. 10,000 and upto Rs. 20,000	1	..	6	19	36	13.4
3. „ „ 20,000 „ „ 30,000	..	..	6	5	11	5.7
4. „ „ 30,000 „ „ 40,000	..	..	..	8	8	4.1
5. „ „ 40,000 „ „ 50,000	..	..	..	1	1	0.5
6. „ „ 50,000 „ „ 60,000	..	..	1	1	2	1.1
7. „ „ 60,000 „ „ 70,000	..	..	..	..	..	..
8. „ „ 70,000 „ „ 80,000	..	..	..	..	..	..
9. „ „ 80,000 „ „ 90,000	..	..	..	..	..	..
10. „ „ 90,000 „ „ 1,00,000	..	..	1	1	1	0.5
11. „ „ 1,00,000 „ „ 2,00,000	5	..	..	1	6	3.1
12. „ „ 2,00,000 „ „ 3,00,000	6	..	..	..	6	3.1
13. „ „ 3,00,000 „ „ 4,00,000	2	..	..	..	2	1.0
TOTAL	14	50	20	111	194	100.0

41.123. The Study has also revealed that there has been a remarkable development in the number of units as well as in the capital invested in this Industry since 1945 when too a Survey was undertaken by Shri B. P. Adarker. According to that Survey the number of units and workers in the entire State was 6 and 1308 respectively in 1929. By 1935, the number had risen to 35 and 3186 which further swelled upto 74 and 7181 respectively in 1942. The turnover as well as the sales in the Industry have thus been showing a steady increase. So has been the case with the Wage Bill.

41.124. The Industry has also been exporting glass bangles. The value of bangles and beads exported during 1966-67 and 1967-68 was Rs. 0.12 crores and Rs. 0.14 crores respectively.*

Welfare amenities.

41.125. According to the Study only one unit reported that it provided free housing to workers as a measure of non-statutory welfare amenity. Although none of the units admitted inadequacy of welfare amenities but personal observations revealed that even statutory amenities had not been provided satisfactorily. The welfare amenities were practically non-existent in case of units which did not fall with in the purview of the Factories Act, 1948. 34

units, out of 194 sampled, were in favour of providing welfare amenities statutorily. On the question of levy of a welfare cess for providing welfare amenities to workers employed in this industry, out of 194 sampled units 42 units were not in favour of any cess, 53 wanted cess on Wage Bills, 77 on production, 5 on profits and 12 did not choose to offer any reply. 71% of the sampled units were thus found to be in favour of imposition of a welfare cess. About 40% of the units covered by the Study were in favour of a welfare cess on production. 12 units suggested even the quantum of cess to be between 1 to 3% of production value, two said that it should be between 1 to 5% and one observed that the cess should be 1%. As regards the mode of collection it was suggested that cess be imposed like that of the excise duty. These units were of the opinion that it should be collected like Provident Fund contributions. Out of 194 sampled units 89 were of the opinion that the Industry was not in a position to pay off the burden while the remaining did not give any reply. The main argument of the employers was that the Glass Bangle Making Industry at Ferozabad was facing keen competition with plastic bangles of the South. These observations were, however, not upheld by the Government which held the contention that customarily married ladies prefer to wear glass bangles and not plastic ones.

*Source : Basic Statistical material relating to Foreign Trade, Production and Prices (Vol. 11 No. 4, 1963).

41.126. As regards range and nature of welfare activities financed from the Welfare Fund, out of 194 units 146, could not give specific suggestions. 4 were of the opinion that range should be decided by the State Government, while 40 units suggested that housing facilities, recreational activities, technical training and adult education classes should be financed from the Welfare Fund.

Conclusions of the study with regard to cess and provision of amenities.

41.127. The Study shows that the Bangle Making Industry is in a position to bear the levy of nominal cess on production to raise funds for providing welfare measures to workers. But it would be in the fitness of things to levy a cess on the Glass Industry as a whole and not merely on Bangle Making Industry which constitutes only a part of total Industry. The workers of the bangle making Industry particularly, those engaged in the working of 'pakai bhatties' work under very strenuous conditions. They need protective clothings, gloves, etc., which should be provided by the employers wherever necessary. In order to improve their living conditions a number of quarters in healthy surroundings have been provided in Ferozabad by the State Labour Department under the Subsidised Industrial Housing Scheme of the Government of India. But these quarters are being allotted to workers of factories registered under the Factories Act only whereas the bulk of workers are such as work in un-registered factories and are thus not entitled to any houses. The Study recommends that suitable amendments in the law may be made so that a large number of workers employed in un-registered factories can also get the benefits of subsidised housing facilities. It has also been suggested that the State Government should open more Welfare Centres and should organise programmes for adult and child education in those centres, besides giving the existing routine welfare amenities like medical aid, indoor and outdoor games, reading room facilities etc. It has also get the benefits of subsidised housing facilities. seeing tours may be arranged for the workers of the Industry to enhance the standard of general education among them. The Study urges that employers should take interest in ameliorating the living conditions of the workers and fair price shops, consumer stores for the supply of commodities of various necessity at reasonable prices should be opened by the employers. The Study concludes by saying that "it is expected that the above facilities will not only enhance the social and economic conditions of the workers of the glass bangle industry at Ferozabad but would also open new avenues for their general improvement and would relieve the workers of their mental and physical fatigue created by the monotony, strain and congestion in this trade. Their efficiency of work is also likely to improve in this manner. Co-operation by the employers as well as the trade unions of workers in the Industry by way of arranging social welfare programmes among the workers is, however, very much desired".

Our Views.

41.128. Glass Bangle Industry, and for that matter Industry engaged in making toys etc., out of glass is mainly concentrated in Uttar Pradesh. The demand for goods of this Industry seems to be inelastic enough as to ensure a continuous sale

at a price which is remunerative for the employer and which fits in with the budget of the consumer. The majority of the population in the country is tradition ridden and bangles, despite modern advances in various directions, still continue to constitute a desirable adoration for the female folk in this country. Drawn from all walks of life and all strata of the society, whether in urban areas or in rural India, the demand is more manifest amongst the middle and the lower middle classes. Experience and observations show that the rise in prices has not made any material difference in the usage of bangles whether as a result of compulsion of custom or due to convention prevalent amongst the large population of Indian Society.

41.129. The workers of this Industry, like the workers of any other Industry, should, in our opinion, be entitled to receive the benefits of at least basic minimum welfare amenities. It is inequitable to say that they should not be provided with any or many welfare amenities simply because the Industry is concentrated mostly in unregistered factories and work is also done on contract or casual basis which makes it difficult for the arm of law to penetrate for ensuring either the provision or the implementation of welfare amenities. The capacity of employers is no doubt a factor to reckon with for providing welfare amenities. It may be unfair and unjust to burden individual small-scale employers in the matter. However, the injustice to workers also could not be allowed to continue for an indefinite period. A way out appears to be the levy of a nominal cess for creation of a Welfare Fund for the financing of welfare amenities.

41.130. We are inclined to agree that if a cess is to be levied it should not be done on glass bangle industry alone but should be imposed on the glass industry as a whole. We, therefore, recommend that workers employed in glass manufacturing industries be provided with basic minimum welfare amenities. A suitable levy say ranging between 3 to 5% on the total value of production may be imposed. We, further recommend that the money so collected may be placed at the disposal of the statutory Labour Welfare Boards which we have recommended elsewhere in this Report to be set up in each State. These Boards should arrange to provide basic minimum welfare amenities to workers employed in this industry.

41.131. We further recommend that provision of statutory welfare amenities to such workers as are employed in establishments covered under the Factories Act should be ensured by proper and effective enforcement of the obligations of the employer.

CASHEWNUT INDUSTRY

41.132. Agro-based cashewnut is one of the most important foreign exchange earning industries of the country. Mainly concentrated in the State of Kerala, the industry also exists, though on a limited basis, in Andhra Pradesh, Tamil Nadu, Mysore,

Maharashtra, West Bengal and the Union Territory of Goa. State-wise distribution of cashewnut

factories in India and average daily employment therein during 1965 is given in the table below :

State	Number of factories	Average daily employment
1. Andhra Pradesh	32(12·0)	211(0·9)
2. Kerala	209(78·3)	88,647(89·3)
3. Tamil Nadu	8(3·0)	2,516(2·5)
4. Maharashtra	5(1·9)	887(0·9)
5. Mysore	12(4·5)	6,292(6·3)
6. West Bengal	1(0·3)	12(0·1)
TOTAL	267(100·0)	99,255(100·0)

41.133. Besides the factories referred to in the table, there are smaller establishments which are unregistered under the Factories Act but do supplement production of bigger factories. The exact number of uncovered establishments and the workers employed therein are not available but it can be safely said that quite a large number of workers in this industry are outside the purview of the Factories Act.

41.134. The Industry is an important foreign exchange earner next only to tea, jute goods and oils seeds. Indigenous production of the crop is, however, not sufficient to feed all the processing factories and hence large quantities of nuts are imported. The bulk of the cashewnut processed is exported. The main processes of this industry are roasting, shelling, peeling, grading and packing. Peeling is a delicate job which is generally done by women who learn it as a hereditary skill. After peeling the kernel is roasted, graded and packed. The broken kernels fetch lower price. Workers engaged in this type of kernel are paid very low wages. This quality is also not exported.

Export of Cashewnut

41.135. The good quality of cashew produced is exported and fetches a high rate per k.g. The value of cashew kernels exported during the years 1966-67 and 1967-68 was of the order of Rs. 45.52 crores and Rs. 43.03 crores respectively. Although complete data in respect of exports for the year 1968-69 is not available, it is gathered that during the period April, 1968—January, 1969 cashew kernels worth Rs. 53.15 crores have been exported.* Efforts to step up exports are being intensified despite rising competition from some African and Asian countries.

Welfare Amenities

41.136. No reliable data is available on the extent of welfare amenities at present obtainable to workers employed in Cashewnut industry. A survey of labour conditions in Cashewnut industry conducted by Labour Bureau, Simla in 1965-66, however, revealed that majority of such factories as were under obligation to provide welfare facilities in terms of the provisions of the Factories Act

had generally provided facilities like rest shelters, creches, canteens, washing facilities etc. The provision of statutory welfare amenities and working conditions in larger cashewnut units was better as compared to smaller ones where the position was not at all encouraging.

41.137. As for non-statutory welfare amenities like recreation, education, housing, medical, transport, cooperative stores, these were generally absent or negligible. Only 6% of the factories in the Industry had made arrangements for recreation. No establishment had set up any centres for adult education. None of the units had also made any arrangement for education for the employees' children. The Survey also showed that facilities of hospitalisation and transportation too had not been provided by any of the units. Only 2% of the units provided housing facilities to their workers and a very negligible number of factories had provided cooperative stores.

41.138. The situation revealed by the Survey was not at all encouraging. Conducted only in 1965-66, the present position cannot be considered to have improved or changed than the one that emerged in 1965-66. The State Governments at our instance set up special Sub-Committees or Study Groups to evaluate the implementation of welfare provisions of labour laws in various industries. The Kerala Government, *inter-alia*, have referred to the implementation of labour laws and provision of welfare amenities in this Industry as follows :—

“Cashew industry, which is old and well-established industry, is being run on most distressing conditions. The cashew managements have been permitted to function after violating all the regulations under the Factories Act. Their strength lies in their threat to close down units which often employ 400-800 workers if there is clamour for better conditions”.

41.139. One of the workers' organisations operating in Kerala also observed thus :

“Large number of cashew workers are outside the purview of the Factories Act. This is not the case, as far as Kerala is concerned. Almost

*Source : Basic Statistical Material relating to Foreign Trade, Production and Prices (Volume XI, No. IV 1968). supplemented by the information collected from the Economic Division of the Planning Commission.

the entire strength of cashew workers are working in regular factories. But the cashew factories are far below the standard fixed by the Factories Act. Further in actual experience the employers are manipulating in such a manner as to deny to the workers the benefits due to them under statutes such as the Factories Act, the Minimum Wages Act, etc. The Workers are, by and large, low-paid. Around 90% of the workers are women....".

The representative of that Organisation was also of the view that :

"there is considerable scope for labour welfare measures on the lines of the modern concept, among the cashew labour. Cashew is an expert commodity, subject to sizeable price fluctuations. India exports around 30 lakhs cases of cashew kernel. Each case contains 50 pounds of kernel. Each pound costs between 60 cents and 70 cents in the American Market. I would suggest that a Labour Welfare cess at the rate of Rs. 2 be imposed on every case going out of India. This will have no impact on the foreign market. On the other hand we will be able to collect over 60 lakhs of rupees every year. It will be easy to administer this fund and to accord the benefit of it to the workers as they are organised on the factory basis. I have had occasion to discuss this matter with a number of employers. I found them quite willing to fall in line provided that it is introduced by a Central Statute with all India coverage".

41.140. The Survey of Labour conditions conducted by Labour Bureau as well as the Report of the Government of Kerala show that even those factories which are under obligation to provide welfare amenities under the Factories Act (most of which are situated in Kerala), are not fulfilling their obligations properly and effectively. More than 50% of the factories do not fall within the purview of the statutory welfare amenities provided under the Factories Act. The position regarding provision of non-statutory welfare amenities is not encouraging. That this should be the state of affairs in an Industry which is export oriented and which earns considerable foreign exchange for the country is really discouraging. We find no justification in denying basic minimum welfare amenities like medical aid, certain measure of recreational facilities etc. to workers employed in this Industry. It is, therefore, essential that some agency has to be created which should provide non-statutory welfare amenities to covered establishments and statutory as well as non-statutory welfare amenities to such factories as are not covered by the Factories Act. This could best be done by the statutory Labour Welfare Boards which we have suggested elsewhere. As regards the finances these could be earmarked by the State Governments concerned out of the plan allocations and levy of some cess on the export of cashewnut. If this money is not sufficient then some contribution may also be taken from the workers annually with a matching grant from the employers. We, therefore, recommend that the statutory labour welfare boards proposed to be set up in each State should be entrusted with the responsibility of providing welfare amenities to cashew workers. In order to enable them to augment the sources for providing amenities to the workers a cess at the

rate of Rs. 2 be imposed in every case of cashew exported from India.

41.140. We further recommend that to augment these resources some plan allocation may also be made annually from the plan funds to enable the welfare boards to undertake the activities for cashew workers.

INDUSTRIAL ESTATES

Welfare Amenities.

41.141. In para 41.20 of this Chapter we have already mentioned that of late a large number of industrial estates have come up in the country. These estates comprise of very small units employing even less than 10 workers and most of them do not have more than 100 workers or so. This is the pattern all over the country whether it is in industrial estates built by the Government or is the outcome of the efforts of a private entrepreneur. The philosophy behind the building up of industrial estates was to accelerate the development through planned decentralisation and dispersal of industries. Under this programme, factory accommodation on rental or on hire basis is given to small entrepreneur at suitable sites with facilities of water, electricity, banking, post offices, transport, etc. As on September 30, 1967, there were 345 estates in the country with 7861 sheds. Of these, only 5814 sheds had been taken on rent or on hire-purchase basis employing 69,456 persons only. The annual production of goods produced in these estates was of the order of Rs. 93 crores.

41.142. A large variety of industries are found to be functioning in industrial estates. These are engineering, chemicals, plastics, electronics, leather and footwear, sewing machines, bicycles, and sports goods industries, etc.

41.143. The number of units and the persons employed in those units clearly indicate that none of the units by itself, although covered by the Factories Act, 1948, would be under an obligation to provide any of the important welfare amenities contained in the Factories Act. It is true that these are small-scale units and none of them can individually be expected to provide any tangible welfare amenities on its own except a few urinals and latrines and arrangement for drinking water. This is about statutory amenities. Nothing can be expected from them in the field of non-statutory amenities. It is an irony of situation that such a large number of workers, though working under conditions worse than their counterparts in bigger factory establishments, should be deprived of even the basic minimum welfare amenities stipulated under the Factories Act. It is immoral, if not unjustified, to continue denying the benefit of welfare amenities to the workers employed in industrial estates. In fact they stand as much in need of welfare amenities and better conditions of work, if not more, as their counterparts in bigger establishments are. A fresh thinking, out of the conventional arena, is, therefore, required to break new ground for providing welfare amenities to these workers.

41.144. The Committee had been seized of this problem for quite long. During the course of oral evidence tendered before us, the workers' representatives emphasised the need for providing welfare

amenities to these workers by pooling of resources. It has been our view that as most of the units are located in the same area and the walls of an industrial estate are more or less like the walls of bigger factory, it should not be difficult for employers of these industrial units to get together for providing some facilities on joint basis. The employers also accepted this view but were sceptical of the practicability of the suggestion. They felt that even if they took the initiative for providing these amenities on joint basis, the workers might not come forward to take advantage of these facilities, more so when they come from different areas, have their own arrangements for living, bring their food from their homes and would not like to stay behind in the industrial estates to take advantage of any welfare amenities of the nature provided at labour welfare centres or even of recreational facilities after their scheduled working hours. They would always like to reach their respective destinations without the least possible delay. The idea, though laudable, may, therefore, in actual practice be found wanting and impracticable.

41.145. We are inclined to agree with the suggestion that a beginning has got to be made for provision of certain basic minimum welfare amenities such as rest shelters, creches, canteens and even housing and medical care, though on a pilot project basis, in the industrial estates. The initial inertia on the part of the workers is likely to be transformed into a yearning for utilisation of healthy diversions if they are provided and administered well near the place of work. We are also convinced that during the long hours of shifts workers do stand in need of canteen arrangements and there is hardly any estate in the country which may not be having some private shops around it to cater to the requirements of workers. Similar is the case with the rest shelters and creches. We would, therefore, recommend that wherever there is a sizeable concentration of small units, capital cost of welfare amenities like canteens etc. be borne by the State or by the authority concerned which organises the estates, and these amenities be run on cooperative lines. We recommend that appropriate Governments be empowered to permit the establishment of joint welfare services like smaller plants located in a compact area/industrial estates.

41.146. Housing is a basic necessity. It is said that workers employed in industrial estates do not stand in need of houses. This seems to be more of a presumption than a fact. It is also sometimes argued that a felt need has not been expressed by the workers employed in industrial estates for residential quarters near the place of work. We are not inclined to agree with this view because whatever be the means of an industrial worker, whether he happens to own his own house, a house provided by an employer would always be welcome to him for a variety of reasons, namely, low rent, nearness of the place of work etc. We are told that construction of houses cannot be undertaken near the industrial estates because of paucity of land. This may be true in case of some of the estates already built, but it cannot be said of the industrial estates which are yet in the offing. We, therefore, recommend that as soon as possible housing programme should be considered as part of the industrial estates project itself. Suitable amendments should also be made in the Land Acquisition Act to enable employers to get land requisitioned for providing houses to workers.

40—3 L & E/69

An appraisal of welfare amenities in cottage and small-scale industries.

41.147. The purpose of selecting certain industries and treating them individually in the matter of provision of welfare amenities in the preceding paragraphs was to highlight the fact that even though enactments have been passed for regulating working conditions and providing welfare amenities at workplace in factories, mines and plantations since independence, a large majority of workers still continue to be devoid of any statutory amenities. The question of provision of non-statutory amenities for this large mass of workers has never been taken into consideration because facilities outside the workplace always take after the facilities provided within the workplace. Even such acts as have been exclusively legislated upon for specific industries such as Beedi and Cigar workers (Conditions of Employment) Act, Salt Cess Act and the like have not gone far to provide the much needed welfare amenities.

41.148. The review of the living and working conditions of workers in the industries mentioned earlier in the Cottage and Small Scale Industries sector as a whole brings out clearly the fact that by and large working conditions are not regulated nor there is any trend to indicate that the welfare aspect of these workers have been given any serious attention. The non-availability of welfare measures and the continued nursing of social inequalities should be a matter of serious concern to all those interested in the human welfare in general and labour welfare in particular. There are certain basic minimum welfare amenities which all workers should receive irrespective of the stage of development and nature of industry. These amenities must be provided to workers within the workplace which are considered essential for the maintenance of physical fitness and efficiency and for safety and protection of workers against work hazards. Equally important are amenities outside the workplace like education, recreation and medical-aid, etc. The workers employed in the establishments must also receive, in some form or the other, the benefits of social security measures, namely, the benefits arising out of the Provident Fund Act and the advantages accruing under the Employees' State Insurance Scheme.

41.150. In the preceding paragraphs, we have essayed to indicate the lines on which welfare amenities could be provided, financed and administered to workers employed in such industrial units as are not within the purview of the Factories Act for purposes of welfare amenities even at the work-place. The need for providing amenities to these workers has been recognised by all the interests namely State Governments, the Employers' as well as Workers' organisations. There is no dearth of goodwill on the part of such employers to ensure that their workers too receive welfare amenities like their counterparts in larger establishments. It would be unjust to say that such employers have not been thinking of the utility or the need for providing basic minimum welfare amenities to workers. What has been standing in their way is either the smallness of the number of workers that they employ or their capacity to pay for the cost of providing amenities like canteen and creche, etc. Logic and need apart, even from the economic point of view provisions for such amenities would be underutilised if they are to be done exclusively by different units themselves. It is an acknowledged fact that there must be a sizeable number of

workers to make use of canteen before a canteen is established and the capital and recurring expenditure on it is spent and justified. Same is the case with rest shelters, creches and washing and bathing facilities.

Methods for organisation—suggestions.

41.151. We have suggested two methods while dealing with certain selected industries in preceding paragraphs. These are pooling of services on a joint basis by industries located in a compact and contiguous area, administratively manageable and useful to workers of the commercial establishments who are to be the main beneficiary of these amenities. Alternatively, we have suggested that there should be levy of cess to finance welfare amenities on a joint basis at the initiative of the State through the agency of Statutory Labour Welfare Boards which we have proposed to be set up in all States. One of these two alternatives can be adopted to meet the purpose of providing welfare amenities to this segment of workforce which has not been in receipt of many, if not any, statutory or non-statutory welfare amenities so far.

Existing social security schemes vis-a-vis the unorganised labour.

41.152. The industries which have been dealt with in some details in the preceding paragraphs are not exhaustive. They are illustrative of the fact that similar situation must be prevailing in a hoard of other industries identically placed. We cannot accept the contention that the employment based enactments should not be modified or amended so as to bring more workers within the ambit of their coverage. We feel that by virtue of the experience that must have been gained during the operation of enactments like the Factories Act, the Plantations Labour Act and the Mines Act ways must be found to progressively extend the provisions of these Acts to cover more workers. We also recommend that the Employees Provident Fund Act, 1952 at present applicable to such establishments employing 20 persons and having 5 years standing or employing 50 or more workers and having three years standing may be extended progressively to cover all workers irrespective of the size of undertaking and nature of industry. For achieving this target the Committee recommends that the existing limits with regard to number of workers and the standing of establishments may be brought down progressively to cover all establishments. This will herald a new era and give a new ray of hope to millions of such workers as have had no benefit of this important scheme of social security so far.

41.153. The Employees' State Insurance Act also applies to limited number of establishments, largely on administrative grounds. It is true that it is no use extending enactments unless arrangements are made concurrently to ensure effective

implementation of these Acts. For ultimately only that serves best which is administered best. We do not wish to make any suggestion which may continue to remain a dead letter of the law. But we are confident that when the E.S.I.S. Review Committee suggested and felt that it should be their ultimate aim, in the Fourth Five Year Plan, to cover all such establishments as employ 5 or more workers, they must have thought that administrative arrangements would keep pace with the progressive extension of the Act. We are also convinced that there is no dearth of administrative ingenuity to find ways and means to implement and administer certain Acts once it is decided in principle that the Acts have got to be implemented.

41.154. The need to cover such establishments as employ 5 or more workers has been accepted by the E.S.I.S. Review Committee. We are in full agreement with the projections and aspirations of the Review Committee and we strongly recommend that the E.S.I. Corporation should take steps to ensure that this target is achieved expeditiously.

41.155. According to data furnished by the Development Commissioner, Small Scale Industries, Government of India, the estimated number of units in the small scale sector of industries is about three lakhs. Out of these the registered units with the State Governments are 1,25,000. The employment provided by this sector is 30 lakh workers. It would be inequitable in a welfare State like ours if this large mass of workers continue to suffer from the denial of even the basic minimum welfare amenities at their workplace. In our opinion time has come when the Government of India, in consultation with the State Governments, have got to evolve a blue print for laying down guidelines for the nature and extent of welfare amenities which must be provided to workers in the Cottage and Small Scale Industries. The administrative and financial difficulties are *prima facie* bound to be many. This is always true of every new field and every virgin ground that has to be covered. Yet the unknown paths have to be known, their obstacles have to be removed and they have to be made familiar. We are confident that if the Government of Maharashtra could bring on the anvil of legislation a comprehensive enactment even for the unprotected and self-employed categories of workers, involving loading and unloading operations, it is not difficult to bring into being a new enabling legislation to provide welfare measures for millions of workers working in unorganised industries and to find finances for the same. It is necessary that such a vital issue should be more thoroughly gone into by a group of experts to work out the feasible projects of welfare amenities in greater details. In so far as we are concerned, we stand committed to the policy that in a welfare State, wedded to political democracy, with rising accent on social values, the uncovered working class cannot be allowed to continue to remain unattended so far as welfare amenities are concerned.

ANNEXURE

Minimum Wages fixed for Coir Labour by Kerala Government

Minimum Wages Notification

Where hired labour is employed for spinning of coir yarn, the Kerala Government has fixed minimum wages under the Minimum Wages Act.

The revised minimum wages in the coir industry are the following:—

1. Head-load transport of husks :

For head-load transport of husks, from or to the retting pit a sum of Rs. 0-14-0 per thousand is to be given for a distance of one furlong or less. Where the distance is more, the worker will be entitled to claim higher rates. But this rate is applicable to coir workers only and not to workers engaged in transporting husks at the collecting, or distributing centres.

2. Counting :

- (a) Raw husks 37 N.P. per 1000
- (b) Retted husks 50 N.P. per 1000

3. Retting :

- (a) Putting husks into pits Rs. 1-75 N.P. per 1000. But where additional labour is involved such as in digging new pits or renovating old ones, special rates shall be paid.
- (b) Taking the retted husks out of the pits Rs. 2-75 N.P. per 1000.

4. Beating :

Rs. 1.12 N.P. per 100 fully retted husks (when the husks are not properly retted the workers will be not entitled to claim higher wages).

5. Cleaning :

- (a) Cleaning fibre with the help of pichuvandi or similar mechanical contrivances (this does not apply to power driven machinery.)
 - (i) For anjeng Yarn Re. 0-8-0 per vandi or rat.
 - (ii) For mangadan, Aratory Vaikom, Astamudi thin and similar types of yarn Re. 0-7-0 per hundred husks.
 - (iii) For other coir yarns which require only rough cleaning e.g. Parur Vannan, M. K. yarn, Astamudi thick, Re. 0-4-0 per hundred husks.
- (b) For cleaning fibre by hand without the help of any mechanical contrivance, the rates shall be Re. 0-2-0 more than the rates fixed for cleaning with the help of mechanical contrivances.

6. Spinning :

Spinning (for Anjengo yarn) Re. 1 per vandi. rotating wheel 50 N.P. per vandi. Beating husk Rs. 1-12 N.P. for 100 husks.

The rate fixed for spinning coir yarn is related to the work turned out. The work-load is fixed in terms of the runnage covered by the spinner. By "runnage" is meant the length of the spinning yard multiplied by the number of vallies made. For this purpose the length of the spinning yarn should be taken to be the distance from hook to hook. Where the actual length of the spinning yard for any variety of coir is different from the standard length on the basis of which the runnage is fixed the number of vallies which will constitute the work-load may be arrived at by dividing the total runnage by the length of the spinning yard.

1. The rate for spinning coir yarns shall be Rs. 2-8-0 for the work loads specified below of which Re. 1-0-0 shall be given to each of the two spinners and Re. 0-8-0 for rotating the wheel. where the spinners do the rotating also the whole amount shall be divided between them.

The above mentioned rate of Rs. 2-8-0 shall apply to the following work loads for spinning different varieties of coir.

(i) Anjengo yarn :

- (a) 13-14 score Runnage 3072 (i.e. 96 vallies spun-spinning yard of 32 yards).
- (b) 14-15 score Runnage 2830 yards (i.e. 90 vallies in spinning yard of 32 yards).

(ii) Mangadan :

- (a) 13-14 score Runnage 3360 yards (i.e. 140 vallies in a spinning yard of 24 yards).
- (b) 14-15 score Runnage 3240 yards (i.e. 135 vallies in a spinning yard of 24 yards).

(iii) Ashtamudi :

- (a) Thick quality Runnage 3800 yards (i.e. 95 vallies in a spinning yard of 40 yards).
- (b) Thin quality. (Imitation Aleppadan) Runnage 3600 (i.e. 90 vallies in a spinning yard of 40 yards).

(iv) Aratory :

- (a) Ordinary 12-13 score Runnage 3600 yards (i.e. 50 mudies of 6 vallies each spun in a spinning yard of 12 yards).
- (b) Superior 14-15 score Runnage 3456 yards (i.e. 48 mudies of 6 vallies each spun in a spinning yard of 12 yards).
- (c) Mahadevikad special 15-16 score Runnage 3250 yards (i.e. 45 mudies of 6 vallies each spun in a spinning yard of 12 yards).

(v) Vaikom yarn :

- (a) Medium (including kumbalangi yarn) Runnage 3588 yards i.e.

138 mudies of 2 vallies each spun in a spinning yard of 13 yards).

- (b) Fine Runnage 3380 (i.e. 130 Mudies of 2 vallies each spun in a spinning yard of 13 yards).

- (vi) M.K. Yarn Runnage 3325 yards (i.e. 175 muddies of 2 vallies each spun in a spinning yard of 9½ yards).

(vii) **Parur Yarn :**

- (a) Thick quality (Parur vanna) Runnage 3250 yards (i.e. 125 mudies of 2 vallies each spun in a spinning yard of 13 yards).

- (b) Thin quality (parur special) Runnage 3120 yards (120 mudies of two vallies each spun in a spinning yard of 13 yards).

2. The rate for spinning Rope yarn shall be as follows :—

- (i) Handspun Muppiri—7½ pies for each mudi measuring 24 yards.

- (ii) Edavannam (Medium Rope, hand spun) 6½ pies for each mudi measuring 34 yards.

7. Bundling :

Re. 0-2-6 bundle for office quality bundle of one maund.

Where the bundling has to be done more artistically and with greater care as in Rose wall and choruvai, special rates will have to be paid in accordance with the extra effort and time required.

N.B. 1. The "husk" as used in the above statement refers to the husk obtained from one cocoanut.

2. Special rates shall be paid for spinning superior types of yarn such as Vettoor Special and Aroor Special etc. for which the scorage is 16 and above.

3. For making varieties of coir not comprised in the above statement such piece rates shall be paid which will enable an average worker working for 3 hours a day to earn Rs. 1-8-0 in the case of men workers and Re. 1-0-0 in the case of women.



PART VIII

CHAPTER XLII

STATUTORY WELFARE FUNDS

42.1. A happy and contented labour force is an essential prerequisite of a balanced and forward looking industrial economy. Provision of welfare facilities for the normal and cultural enrichment of labour engaged in productive activity is a sound investment which is bound to pay increased dividends in employer-employee relations and higher and better production. The end product of such an investment may take some time to fructify, but profiting from the experience of developed countries and industrialised societies, it can be reasonably assumed that the end product will more than justify the investment made on welfare.

42.2. There are certain basic minimum welfare amenities which an industrial organisation, irrespective of its stage of development and nature and line of production, must provide to its workers within the factory premises as being essential for the maintenance of physical fitness and efficiency and for safety and protection of workers against hazards. Provision of most of these basic amenities has, under various statutes, been made the responsibility of the employer. There still remains a large area of welfare especially outside factory premises, which has not been statutorily provided for in the Factories Act (1948) or in any other existing legislation than the Plantations Labour Act (1951) which makes it incumbent on the employer to provide educational, medical and recreational facilities to workers and their children besides providing housing to resident labour.

42.3. Workers in small scattered industrial establishments still remain outside the scope of the existing legislations. They remain uncovered because of the statutory limits of minimum number of workers prescribed in the legislation for amenities like canteens, creches and other facilities. The limited financial resources of the smaller units preclude them from extending welfare measures to their workers at par with those available in bigger establishments. A way out will have, therefore, to be found whereby it can be possible to extend welfare measures to the uncovered workers in the interests of industrial peace and increased production.

42.4. Motivated by the necessity to provide certain basic minimum welfare amenities to workers in the mining industry, which is considered to be one of the most hazardous industries in India, the Government of India decided in 1944 to constitute a statutory labour welfare fund for providing workers with amenities like housing, medical aid and health and safety measures and educational and recreational facilities. A comprehensive legislation—the Coal Mines Labour Welfare Fund Act—was placed on the Statute Book in 1947.

42.5. The need for provision of labour welfare activities, both inside and outside industrial establishments, was also felt in other fields of industrial activity. In 1937 the Government of Bombay addressed itself to formulating schemes for providing amenities to industrial workers both inside and outside factory premises in predominantly industrialis-

ed areas like Bombay, Ahmedabad and Sholapur. The Bombay Government decided to undertake the responsibility for providing facilities to workers outside the factory premises with a view to enabling them to utilise their leisure time constructively and profitably. A number of labour welfare activities with an emphasis on recreation and social education came to be established in principal industrial towns. In the beginning, efforts were confined to the opening of free reading rooms and libraries within the reach of industrial localities. To this activity came later to be added indoor games and recreation, the emphasis all the time being on how best to bring him out of the physical environment and none-too satisfactory working conditions.

42.6. The Bombay Government shouldered the responsibility of financing and administering the welfare activities for workers at the welfare centres. The responsibility was in 1953 transferred to a statutory welfare board which was constituted under a new labour welfare legislation—the Bombay Labour Welfare Fund Act, 1953. This enactment marked an important milestone in labour welfare. The constitution of the statutory board aimed at bringing about a tripartite collaboration of labour, employer and Government in the Administration and promotion of welfare activities. Profiting by the experience of the erstwhile Bombay State with regard to the statutory welfare fund, some other States also took similar steps.

EXISTING WELFARE FUNDS

Coal Mines Labour Welfare Fund

42.7. The Coal Mines Labour Welfare Fund Act was passed in 1947 with a view to constituting a Fund called 'Coal Mines Labour Housing and General Welfare Fund' for financing measures to promote welfare of labour employed in the coal mining industry. The Act provides for a levy of cess on coal and coke despatched from collieries at a rate not less than 25 paise and not more than 50 paise per ton, as may from time to time be fixed by the Central Government. At present the rate of levy is 49.41 paise per metric tonne. The proceeds of the Fund are distributed between the 'Housing Account' and the 'General Welfare Account' in the ratio of 50:50. It is administered by the Coal Mines Labour Welfare Commissioner.

42.8. The activities of the Fund, broadly classified under Housing, Medical and General Welfare, are as follows:—

(i) Housing Facilities :

The Fund provides for housing facilities under various schemes such as the Subsidised Housing Scheme, the Subsidy-cum-Loan Scheme, the Low Cost Housing Scheme including wooden houses, the Build Your-own-House Scheme and the Cooperative Housing Scheme, and for undertaking construction of townships, etc.

(ii) Medical Facilities

Central and regional hospitals, dispensaries (Allopathic and Ayurvedic) maternity and child welfare centres, health promotion centres and family counselling centres have been set up by the Fund. It also provides for specialised treatment facilities for T.B., leprosy, cancer, mental diseases and other malignant diseases and carries out malaria and filaria surveys to promote general health of the workers. It also supplies artificial limbs, spectacles, dentures, etc., to workers who may be in need of them free of cost.

(iii) Educational, Recreational and General Welfare Facilities :

The Fund maintains multi-purpose institutes imparting adult and social education, and schools for children, craft training centres for families, etc. It also grants scholarships, tuition fees, and education allowance besides giving boarding houses for children of miners. The Fund also provides for facilities like holiday-homes, Bharat Darshan tours, games and sports, water supply and transport to and from work, organises cooperative societies and stores and propagates cooperative movement in coal fields.

Mica Mines Labour Welfare Fund

42.9. The Mica Mines Labour Welfare Fund Act was passed in 1946 with a view to constituting a fund for the financing of activities to promote welfare of labour employed in the mica mining industry. The Act provides for a levy of cess on all mica exported from India on duty of customs at such rate, not exceeding six and one quarter per centum *ad-valorem*. At present, the rate of levy is at the rate of 2½ per cent *ad-valorem*. The cess is collected by the Customs Department and credited to the Fund after deducting ½ per cent collection charges.

42.10. The fund is administered through a Tripartite Advisory Committee in three regions namely, Bihar, Andhra Pradesh and Rajasthan.

42.11. The activities provided by the Fund are (i) medical facilities, (ii) housing, (iii) recreational, educational and general welfare facilities. These facilities are similar to those provided for by the Coal Mines Labour Welfare Fund.

The Iron Ore Mines Labour Welfare Fund

42.12. The Working Group set up in 1956, which included representatives of employers and workers, recommended that a welfare fund financed by a special cess should be set up on the pattern of Coal Mines Labour Welfare Fund or the Mica Mines Labour Welfare Fund. The Tripartite Industrial Committee on Mines other than Coal at its meeting held in April, 1961 also agreed to the proposal that a statutory fund should be set up for the benefit of workers employed in iron ore mines. As a consequence, the Central Government passed the Iron Ore Mines Labour Welfare Cess Act, 1961. The Act provides for the levy and collection of a cess on iron ore for financing the activities to promote the welfare of labour employed in iron ore mining industry. The maximum rate of levy prescribed by the Act is fifty paise per metric tonne on all iron ore produced at any mine. The present rate of levy is 25 paise per metric tonne. The welfare activities for which the proceeds of the cess are to be utilised relate to improvement of public

health and sanitation, prevention of disease, provision and improvement of educational facilities, improvement of the standard of living, including housing and nutrition, amelioration of social conditions, provision of recreational facilities and provision of transport to and from the place of work.

42.13. The importance of constituting the welfare funds for workers in other mining industries like manganese, dolomite, limestone, etc., has been recognised by the Planning Commission. At present, welfare amenities have been provided only in respect of Coal, Mica and Iron Ore workers. With a view to removing this disparity so far as amenities for mining workers (other than Coal, Mica and Iron Ore Mine Workers) are concerned, the Committee after careful examination of the issues involved decided to recommend constituting of a General Miners' Welfare Fund for welfare of miners engaged in other minerals.

Observations of the Labour Ministers' Conference, 1966

42.14. The question of having industry-wise statutory welfare funds on the lines of the Coal and Mica Welfare Fund was also discussed in the Labour Ministers' Conference held in New Delhi on July 28, 1966. The Conference appreciated the activities of the existing industry-wise welfare funds, and it was decided that "the Government may explore the possibility of setting up industry-wise statutory welfare funds on the lines of Coal and Mica Welfare Funds, for all industries not yet covered by such funds".

The Assam Tea Plantations Employees' Welfare Fund

42.15. The Government of Assam enacted the Assam Tea Plantations Employees' Welfare Fund Act, 1959 to provide for the constitution of a Fund for financing the activities to promote welfare of employees in tea plantations in Assam and for conducting such activities. Under the Act, a fund called the Assam Tea Plantations Employees' Welfare Fund has been constituted out of (i) all fines realised from the employees, in the course of management of the plantations, (ii) all unpaid accumulations (iii) all grants from the State or Central Government or the Tea Board constituted under the Tea Act, 1953, and (iv) any sum unclaimed or forfeited in the Provident Fund Account of the employees. The State Government has constituted a Board to administer the Fund. The Fund may be utilised by the Board to defray the expenditure on the following:—

- (a) adult education and literacy drive ;
- (b) community and social education centres including reading rooms and libraries ;
- (c) community necessities ;
- (d) games and sports ;
- (e) excursions, tours and holiday homes ;
- (f) entertainment and other forms of recreations ;
- (g) home industries and subsidiary occupations for women and unemployed persons ;
- (h) corporate activities of a social nature ;

- (i) cost of administering the Act including the salaries and allowances of the staff appointed for the purposes of the Act; and
- (j) such other objects as would, in the opinion of the State Government, improve the standard of living and ameliorate the social conditions.

42.16. The Assam Tea Plantations Employees' Welfare Board sanctions grants-in-aid to non-official organisations carrying on welfare activities for the welfare of the tea plantation workers. The Board has also set up training centres for giving training to tea garden workers in health and hygiene, child care, domestic science, social training and craft training. Other activities include programmes like workers' education, blind relief, distress relief, and excursions.

U.P. Sugar and Power Alcohol Industries Labour Welfare and Development Fund

42.17. The U.P. Sugar and Power Alcohol Industries Labour Welfare and Development Fund Act came into force on 1st September, 1951, and was amended in 1953 to remove certain technical difficulties. The main purpose of the Act is to constitute a Sugar and Power Alcohol Industries Labour Welfare and Development Fund for promoting welfare of labour employed in sugar and power alcohol industries in the State. The fund is to be constituted mainly from the sum which the Government has acquired or may acquire by realising from the sugar factories, the difference between the sale price of the molasses fixed by Government for purposes of supply of power alcohol factories and open sale price of molasses sold for other purposes. The fund consists of three separate accounts viz. (a) Housing Account, (b) General Welfare Account and (c) Development Account. Ninety-eight per cent of the Fund is credited to the housing account and one per cent to each of the other two accounts. The activities of the Fund are confined to construction of houses for sugar factory workers. The operation of the Act has been suspended owing to some infirmities in the Act.

The Kerala Today Workers' Welfare Fund

42.18. The Government of Kerala have enacted legislation for constituting Welfare Fund for welfare of toddy workers. The Welfare Fund Scheme under the Act envisages the contributions by the employers which shall be 6½% of the wages for the time being payable to each of the employees. The contribution of the employees shall also be equal to the contribution paid by the employer. The Fund is to be administered by a tripartite board.

STATE-WISE WELFARE FUNDS

The Bombay Labour Welfare Fund

42.19. The Bombay Labour Welfare Fund Act was passed in 1953. It applies to factories covered under the Factories Act (1948), tramways, motor or omnibus services, and all establishments, including societies and charitable or other trusts which carry on business or trade and which employ 50 or more labour. The main object of the Act is to constitute a Fund for financing such activities for promotion of welfare of labour in the State. The Fund consists of (i) all fines realised from the employees, (ii) unpaid accumulations transferred to

the Fund, (iii) any penal interest paid by the employer on delayed payment by him of unpaid accumulations, (iv) any voluntary donations, (v) any fund transferred from labour welfare fund of any establishment, and (vi) any sum borrowed from the State. The Fund is to be utilised by the Board to defray expenditure on the following measures intended to promote the welfare of labour and their dependents:

- (a) community and social education centres including reading rooms and libraries;
- (b) community necessities;
- (c) holiday homes, excursions and tours;
- (d) entertainment and other forms of recreation;
- (e) home industries and subsidiary occupations for women and unemployed persons;
- (f) activities of a social nature;
- (g) cost of administering the Act;
- (h) games and sports; and
- (i) such other objects as, in the view of State Government, would improve the standard of living and ameliorate the social conditions of labour.

42.20. The Fund is to vest in a statutory Tripartite Labour Welfare Board. Following the bifurcation of the erstwhile State of Bombay, the Labour Welfare Board took over on the 28th April, 1960, Welfare Centres and activities in the newly created Maharashtra State. The centres in the Maharashtra and Vidarbha areas were taken over by the newly constituted Maharashtra Labour Welfare Board in January 1962.

Gujarat Labour Welfare Fund

42.21. In the State of Gujarat, the Gujarat Labour Welfare Board took over the administration of the Fund and the centres which were transferred to that State as a result of bifurcation of the State of Bombay. The Gujarat Board has subsequently taken over welfare centres conducted formerly by Government of Bombay in the Saurashtra and Kutch regions of the State. The pattern of the activities organised by the State of Gujarat are similar to those organised by Maharashtra Labour Welfare Board.

The Punjab Labour Welfare Fund

42.22. The Punjab Labour Welfare Fund Act, 1965, which was modelled on the lines of the Bombay Act, was brought into force with effect from the 1st July, 1965. The Fund is to vest in and to be held by a tripartite corporate body called the Punjab Labour Welfare Board.

Mysore Labour Welfare Fund

42.23. The Government of Mysore enacted the Mysore Labour Welfare Fund Act in the year 1965 in order to constitute a Fund for financing and conducting activities to promote welfare of labour

in the State of Mysore. The fund is to vest in and be held and administered by the tripartite Mysore Labour Welfare Board.

Statewise Labour Welfare Funds in other States

42.24. The other State Governments like Haryana, U.P., Madhya Pradesh and Orissa are contemplating to enact legislation in order to constitute State Labour Welfare Fund for financing and organising labour welfare activities for industrial workers on the lines of Bombay Labour Welfare Fund. The State statutory Welfare Boards already constituted under the various State Acts have been facing the problem of finding adequate resources to meet their increasing responsibilities for providing more welfare facilities to an ever increasing number of industrial workers being every year brought under the purview of various State Acts. The two main sources of the Welfare Fund viz., fines and unpaid accumulations have proved to be rather uncertain and unstable sources of income because of certain infirmities in the Act and the continuing constitutional challenge to its provisions.

Industrywise Statutory Welfare Fund and Imposition of Levy for the purpose

42.25. The terms of reference of the Committee includes the examination and suggestion of industries where Welfare Fund like Coal Mines Welfare Fund and Mica Mines Welfare Fund could be created. The Committee, therefore, invited the concerned parties, including State Governments, and organisations of workers and employers, to give it the benefit of their views on the issue so as to enable the committee to propose a suitable arrangement and an integrated approach to the problem of financing welfare measures for industrial workers.

Employers Point of View

42.26. The Central Organisations of employers as well as Industrial Employers' Organisations have uniformly opposed the idea of constitution of industry-wise statutory Labour Welfare Funds on the lines of Coal and Mica Mines Welfare Funds as recommended in the 17th Session of the Labour Ministers' Conference. The Employers' Organisations have, in general, expressed the following views :—

- (1) Government should direct its efforts to bring up the not-so-organised sectors of the community to the level of welfare services achieved in organised sectors, and till this is achieved no fresh burden should be imposed on employers who may already be providing welfare benefits to their workers.
- (2) From the point of view of social justice it would be unrealistic to provide more and better welfare facilities for industrial workers alone without first providing even a modicum of services to workers in neglected or unorganised sectors.
- (3) It is time that areas of social welfare amenities for which the State and employers are specifically responsible were more clearly defined.
- (4) Legislation in the field of labour welfare should be kept down to the minimum. Plethora of legislation should be avoided.

- (5) Separate industry-wise welfare funds are neither feasible nor necessary in all industries as conditions in mining and plantation industries bear no comparison with those prevailing in manufacturing industries.

42.27. Some of employers have opposed the idea of an industry-wise welfare fund on the ground that such a fund would invariably burden the employers, appreciably upsetting the economy of the industry as a whole. It is further contended that in the case of an export-oriented industry any levy of a cess is bound to result in the cost of production going up, thereby adversely affecting the industry's capacity to compete in foreign markets with confidence.

42.28. On the other hand, quite a few individual establishments and the Public Sector Undertakings have expressed themselves in favour of constituting industry-wise welfare funds. They have, however, pleaded for a cautious approach in the matter. They are also of the view that in industries where the demand for products does not give rise to price fluctuations a levy of cess for such a fund may be possible. The need for a simple, direct and efficient tripartite administrative set-up to administer the fund has also been emphasised.

Workers Point of View

42.29. The Workers' Organisations have generally welfare funds for all major and organised industries. According to the Indian National Trade Union Congress, industry-wise labour welfare fund may be created for cotton textiles, jute and all non-coal mines, sugar, cement, engineering, transport, paper and chemical industries. This organisation has further advocated the view that industries may be grouped together on the basis of similarity of work, and geographical contiguity so as to avoid overlapping of functions of such fund, thereby achieving economy in administrative expenditure. The All-India Trade Union Congress has expressed the view that no uniform basis should be adopted in this matter and made uniformly applicable to all industries. The Indian National Mine Workers' Federation has stated that the creation of one single welfare fund for workers in all mines other than coal, manganese, lime-stone and dolomite would go a long way in ameliorating the cause of workers engaged in minerals other than coal, mica and iron ore. One of the affiliates of All-India Trade Union Congress has stated that to insist on every industry to contribute to such funds may result in pushing up the cost structure of that commodity or production, which in turn may adversely affect the general cost of living.

State Governments

42.30. The Governments of Rajasthan, West Bengal, Assam, U.P., Bihar, Kerala and the Union Territory of Pondicherry have agreed on the need for industry-wise welfare funds and have advocated that such funds could be constituted in organised and major industries like engineering, cement, textile, tobacco, pharmaceuticals and chemicals where the industries can afford to bear the burden of a reasonable cess.

Financing the Industry-wise Labour Welfare Fund.

42.31. Even amongst those who have agreed to the constitution of industry-wise labour welfare fund on the lines of Mica and Coal Mines Labour Welfare Funds, there is some difference of opinion on the quantum of cess. Since the conditions vary from industry to industry and from State to State, no standard can be laid down regarding the extent of levy. The consensus is that the matter should be left to be decided through mutual consultations among the three main parties concerned, namely the Workers, the Employers and the Government.

42.32. The Government of Tamil Nadu agree, in principle, to the levy of a cess for purposes of constituting a welfare fund for workers. They, however, want that careful consideration be given to the extent of levy and quantum of cess with due regard to the nature of the undertaking, its size, profitability, the type of products/services with which the undertaking is concerned, the likely effect of such a levy on the prices of the commodity/services to the consumer and kindred issues.

42.33. The Government Mint Calcutta, has suggested that certain percentage of total cost of production not exceeding 5% be set aside by an industry for such funds, but they have not indicated any specific industry. Kerala and Rajasthan Governments have suggested that a certain percentage of wages paid, varying between 1 to 2 per cent may be collected from the employer. Rajasthan have also clarified that as between cess on wage bill and cess on production, collection of the former being relatively easy would cost much less. In respect of construction industry, cess on total cost of construction has been suggested for raising a fund for the welfare of construction workers.

42.34. The Bokaro Steel Limited has indicated that 1% of cost per ton of Iron and Steel may be levied, while the Mysore Iron and Steel Ltd. has suggested that an amount not exceeding Re. 1/- may be collected by way of cess per ton of saleable product manufactured. Similarly, Assam Government have recommended consideration of levying a cess of four paise per kilogram of manufactured tea. Sambhar Salts Ltd., a Government Undertaking has calculated on the rough estimate of country-wide production of salt of fifty million tons per annum. They have advocated for a cess of not more than ten paise per quintal of salt. In respect of Warehousing Corporation, it is suggested that one paise per month per quintal on storage charges may help build up substantial fund for welfare purposes. Employees can also contribute a nominal monthly contribution or per annum towards the fund apart from Government grant.

42.35. The Maharashtra Government is of the opinion that the only convenient and feasible basis for the levy of cess in respect of factories and establishments would be on the basis of number of workers employed.

42.36. Keeping in view the difficulty in organising industry-wise labour welfare funds, and the cost of administering such welfare funds (if constituted on industry-wise basis), the Committee strongly feels that it would be better if one co-ordinated agency at the State level, is entrusted with the responsibility of administering a welfare fund and for implementing a welfare plan, which

may be laid down in the law, for facilities and amenities other than those provided for in the Factories Act, and the Plantations Labour Act, 1951. These Boards would cater to the welfare needs of the workers working in factory establishments outside factory premises. In the case of plantation workers not covered by the Plantations Labour Act, the Board would organise welfare measures both inside and outside the plantations. In the case of Mines one common fund for all the mines would, as suggested elsewhere, meet the purpose.

Statewise Labour Welfare Fund

42.37. Thus, the idea of having a legislation to constitute a Statewise Labour Welfare Fund for labour welfare activities in all industrial centres in the country, by contributions from employees, employers, and the Central and State Governments, has by and large, been welcomed by almost all workers' organisations, by quite a few industrial establishments including most major public sector undertakings as well as by most of the State Governments.

42.38. The Workers' Organisations are found to be in general agreement with the proposal of the constitution of a region-wise labour welfare fund for organising welfare activities in the unorganised sector, and for implementation of non-statutory welfare programmes for workers in organised and unorganised sectors for promotion of their physical, social and educational and cultural development. The Indian National Trade Union Congress have stated: "The proposal to set up a Welfare Fund covering uncovered workers, including rural and agricultural workers, is a move in the right direction". The Hind Mazdoor Sabha though favours the idea has expressed itself against any proposal envisaging contributions from workers as being unacceptable and also unjustified. The All India Trade Union Congress states that the industry has surplus financial resources, a part of which could be usefully directed and utilised for financing welfare measures to be undertaken by a statutory board.

Labour Welfare Centres and Statutory Labour Welfare Funds.

42.39. A number of States and Union Territory Administrations have already been maintaining labour welfare centres, either run directly by State Governments or through the instrumentality of Statutory Labour Welfare Boards which are constituted under special enactments and are tripartite in character, as in the States of Maharashtra and Gujarat. In other States like the Uttar Pradesh, Punjab, West Bengal, Orissa, Haryana, Madhya Pradesh and Union Territory Administration of Delhi, such centres are run by the Labour Departments of the concerned State Governments, and funds for these centres are provided in the budgets of the Labour Departments. Some of these funds are made up of the plan allocations and some from the committed revenue expenditure.

42.40. The following table shows the number of welfare centres run by the various State Governments or Statutory Welfare Boards for catering to the welfare needs of industrial workers and members of their families.

TABLE 1

Sl. No.	Name of the State/Union Territory	Number of working factories 1967 (Provisional)	Estimated average daily employment (Employment in 1000) 1967 (Provisional)	No. of Welfare Centres (1966)
1	2	3	4	5
STATES				
1	Andhra Pradesh	5,285	266	11
2	Assam	11,462	82	N.A.
3	Bihar	12,383	252	25
4	Gujarat	4,849	416	36
5	Haryana	1,207	76	7
6	Jammu & Kashmir	190 E	9 E	6
7	Kerala	2,918 E	200 E	N.A.
8	Madhya Pradesh	2,309	208	33
9	Maharashtra	9,270	942	85*
10	Mysore	3,123	246	16
11	Orissa	914	67	10
12	Punjab	3,683	107	13
13	Rajasthan	1,671	79	21
14	Tamil Nadu	7,078	418	N.A.
15	Uttar Pradesh	3,708	405	71
16	West Bengal	5,679	865	45
UNION TERRITORIES				
17	Andaman & Nicobar Islands	15	3	N.A.
18	Delhi	1,410	88	10
19	Goa, Daman & Diu	89	5	N.A.
20	Himachal Pradesh	80 E	6 E	N.A.
21	Manipur	130	1	N.A.
22	Tripura	82	3	5
23	Pondicherry	N.A.	N.A.	4

42.41. Welfare amenities provided at these welfare centres are made available to factory workers as well as members of their families. The Committee is conscious of the fact that because of limited resources, it may not always be possible to open these centres to all workers whether covered by the existing factory labour welfare legislation or not. Nevertheless, the Committee recommends that welfare centres should be open to all the workers whether employed in factories or in shops or commercial establishments, and wherever

these centres are found to be inadequate vis-a-vis workers requirements, their number should be suitably increased.

42.42. During the Committee's visits to various welfare centres it observed that these welfare centres were not as popular with workers as they ought to have been. We found that among the factors which accounted for participation by and involvement of workers and their family members in the activities at centres run by the statutory boards

Source : Cols. 3 and 4, Indian Labour Statistics, Labour Bureau, Table—2.1.

Col. 5 Indian Labour Year Book—Labour Bureau, Chapter 5.

E—Figures for the year 1966 have been repeated for the year 1967 as the returns for the year 1967 were not received.

N.A.—Not available.

*Figures as on 31-3-1952.

were that (i) an Advisory Committee comprising industrial workers and local leaders in health, education and welfare fields was associated with the day-to-day working of the centre, and (ii) that most of the activities were being run on club basis. In view of this, the Committee is of the opinion that in order to ensure full utilisation of these centres by the workers, tripartite bodies may be constituted for administration of each welfare centre.

Source of Finances for the Statutory Labour Welfare Funds

42.43. The existing arrangement for financing the welfare measures (other than statutory) for industrial and plantation workers has not been found very satisfactory. The Committee is gratified to observe that some of the employers have provided excellent welfare amenities, both inside and outside the work-places for beyond the scale of welfare amenities statutorily laid down. Employers' Organisations and individual establishments have, however, a grievance that while the employer alone is made to bear the burden of financing welfare facilities, workers who are the direct beneficiaries, have yet to persuade themselves to make their contribution towards maintenance of the quality and quantum of facilities provided. State Governments have stated that while there is a case for enlarging the area of welfare facilities they are at present not in a position to release substantial grants for the purpose. The inadequate resources with the State Governments for expanding welfare centres set up by them or by Statutory Boards, and the inability on the part of the not-so-well placed employers and small employers to go beyond the statutory limits in general leave out a large number of workers, especially those employed in smaller establishments from the welfare programmes outside factory premises. This is a situation which is not too happy to contemplate or to be allowed to remain in the doldrums. Out of this situation clearly arises the need for evolving definite avenues of financing welfare amenities. In order that there be an integrated and coordinated scheme for the purpose it is of utmost importance that there is an independent, stable and definite source of income for a welfare fund for financing welfare activities.

42.44. We have come to the conclusion that the sources of finances for these funds may be as follows :—

- (i) All fines realised from the employees.
- (ii) Fines imposed on employers by courts for continuous default in the implementation of labour laws.
- (iii) Unpaid accumulations : these include unpaid wages, bonus, gratuity and all other unpaid arrears.
- (iv) Any voluntary donations and contributions.
- (v) Labour Welfare Fund of any establishment duly transferred to these Funds.
- (vi) Grants and subsidies from Central, State Government, Municipalities and Local Bodies; and
- (vii) Any sum borrowed.

42.45. Since these sources of income for the labour welfare activities have been found too in-

adequate in States where such funds have already been set up, we are of the opinion that the following methods may be adopted to augment the finances of Statutory Welfare Fund :

- (i) Suitable tripartite annual contributions, say at the rate of Rs. 2/- per head from workers, Rs. 2/- per worker from management and Rs. 2/- from government may be raised. The Central Government should pay 50% of the government's contribution, the other 50% being paid by the State Government.
- (ii) Organisation of lotteries—
The administrative agency of State Labour Welfare Funds should organise lotteries for collecting more funds. The proceeds so collected should be remitted to the welfare funds.
- (iii) Celebration of workers' welfare day.
Workers' Welfare Day may be celebrated all over India, and the proceeds collected on the occasion should be credited to the welfare funds.
- (iv) The assistance of trade unions be sought for organising dramas, musical concerts, exhibitions, carnivals etc. to raise money for the welfare fund and the amount so collected be credited to the Statutory Welfare Funds.

Administration of the Statutory Labour Welfare Fund

42.46. In the States of Maharashtra and Gujarat, where statutory welfare funds have been constituted for organising welfare activities for workers, the funds have been entrusted to the State Labour Welfare Boards for administering the welfare activities out of the Funds. The Committee, during the course of its observation tours, to these States found that the welfare boards were the appropriate agencies to administer the welfare funds. The Committee thus feels that for catering to the needs of the workers employed in the plantations (those not covered by the Plantations Labour Act) and factory establishments, (whether covered by the Factories Act or not), Statutory Labour Welfare Boards should be set up in each State.

State Welfare Boards—Its Merits and Functions

42.47. The chief merit of setting up a State Welfare Board lies in the fact that a Statewise statutory body will combine in itself various responsibilities of administering the welfare fund and providing basic welfare amenities (other than statutory amenities or measures) on a reasonable scale to all labour, whether employed in plantations or factories. Secondly the Board, representing as it does all the main interests concerned with welfare programme, is found to be relatively more responsive to the needs and demands of welfare. Thirdly, a Board, by virtue of wide financial and administrative powers enjoyed by it, can afford to be elastic in its decision making functions and be capable of cutting down administrative delays in release of funds and execution of programmes. Fourthly, since the Welfare Fund which the Board will administer will be constituted for a specific purpose, a statutory body must meticulously utilise the funds

only for the purpose for which it has been constituted. Fifthly, it is also relatively easy for a statutory Board to devote all its resources for the sole purpose of providing maximum welfare amenities for the benefit of the community of which workers form an integral part. Finally, a Board would be in a better position to bring together various resources of the Fund and to utilise the Fund for various welfare programmes in a coordinated manner. With the unified agency being responsible for administering the welfare programme in the entire State, there would be considerable saving in the cost of administration of welfare services. Such a Statutory Board would also provide the necessary mechanism to answer fully and completely requirements of the tripartite collaboration which is so vital and important a factor in labour welfare.

42.48. We, therefore, recommend that in order to provide in an organised manner full welfare needs of workers and their families over and above that has already been provided by the employers, statutory Labour Welfare Boards be set up in each State/Union Territory. These Boards should be tripartite in character and autonomous in nature.

42.49. Since some of the State Governments have already set up such Welfare Boards or have enacted legislation for setting up such statutory boards, we, therefore, urge that the remaining States should also initiate suitable legislation in the matter. In order that there may be uniformity in so far as the administration of the welfare amenities in the whole country is concerned, we further recommend that the Central Government may lay down guide-lines on such legislation for enabling the concerned States to take initiative in the matter and bring into being suitable legislation at an early date.

42.50. In order that there is proper utilisation of the funds collected for the labour welfare activities, it is essential that the expenditure on administration should be cut down to the minimum. While recommending Statutory Labour Welfare Board, we strongly urge that maximum utilisation of the funds so collected should reach the beneficiaries and the cost of administering funds should be kept lowest, say 5% of the total collection of the Funds.

Activities of Statutory Welfare Boards

42.51. We recommend that it is necessary that guidelines of welfare amenities and activities to

be provided for and organised by the statutory Welfare boards be laid down. The activities may be broadly classified as follows :—

- (i) Community and social education centres including reading rooms and libraries;
- (ii) community necessities;
- (iii) games, sports and other programmes of physical fitness;
- (iv) excursions, tours and holiday homes;
- (v) entertainment and other forms of recreation;
- (vi) home industries and subsidiary occupations for women and unemployed workers;
- (vii) Corporate activities of a social nature.
- (viii) such other activities as would, in the opinion of the State Government improve the standards of living and promote health, family planning and social conditions of labour.

42.52. In the foregoing paragraphs, we have justified the need for an agency, statutory and autonomous, which should be a whole-time institution for organising a large number of welfare amenities outside the work-place for workers. The activities that these institutions are supposed to provide, cover a wide range, such as organisation of radio programmes, physical fitness programme, games, information and counselling service, training in music; embroidery and knitting and other crafts, library and information services, sports, organisation of dramas, exhibition of educational films for children and adults, arrangements for outdoor excursions etc. These institutions are also self-sufficient in the matter of raising finances to meet their expenses, under a statute. This arrangement has already been working for the past some years in the States of Maharashtra and Gujarat. We have every reason to hope that constitution of such statutory welfare boards in each State will go a long way in giving healthy diversions to the monotonous life of industrial workers and in filling a long felt vacuum in the life of their family members.

CHAPTER XLIII

ROLE OF WELFARE OFFICER

Introduction

43.1. The institution of 'welfare officer' owes its origin to the recommendation of the Royal Commission on Labour and the support that was given to this recommendation subsequently by the Labour Investigation Committee. The Commission was tempted to recommend the appointment of labour officer to eliminate evil practices connected with jobbers. They had given considerable importance to the role of this officer and had said, "He should be subordinate to no one except the general manager of the factory, and should be carefully selected. No employee should be engaged except by the labour officer personally, in consultation with departmental heads, and none should be dismissed without his consent, except by the manager himself, after hearing what the labour officer has to say. It should be the business of labour officer to ensure that no employee is discharged without adequate cause; If he is of the right type, the workers will rapidly learn to place confidence in him and to regard him as their friend. There are many other duties which such an officer can fulfil, particularly in respect of the welfare".¹

43.2. The Labour Investigation Committee also quoted the Royal Commission on Labour to emphasize the fact that the position of the labour officer should "enable him to see that the workers' case is adequately presented, and he can act as their advocate when he is convinced that remedial measures are required."²

43.3. The importance given to this officer by these two major investigating bodies in the field of labour before Independence had considerable impact on the thinking of the Government. Soon after the Independence, the Constituent Assembly of India provided for the appointment of a welfare officer, corresponding to the duties which the two bodies referred to above had thought of for a labour officer. The lead given by the Factories Act, 1948 was also followed in the case of statutes for plantations and mining industries. All the three important central Acts which cover manufacturing, plantations and mining industries, namely, the Factories Act 1948, the Plantations Labour Act 1951, and the Mines Act 1952, provide for the appointment of welfare officers as a statutory obligation on employers, employing a specified number of workers.

43.4. Section 49(1) and (2) of the Factories Act, lays down that :—

"(1) In every factory wherein five hundred or more workers are ordinarily employed the occupier shall employ in the factory such number of welfare officers as may be prescribed.

(2) The State Government may prescribe the duties, qualifications and conditions of service of officers employed under sub-section (1)".

43.5. According to section 18(1) and (2) of the Plantations Labour Act 1951 :

"(1) In every plantation wherein three hundred or more workers are ordinarily employed the employer shall employ such number of welfare officers as may be prescribed.

(2) The State Government may prescribe the duties, qualifications and conditions of service of officers employed under sub-section (1)".

43.6. In the Mines Act, 1952 this provision has been made under section 58(q) which runs as below :—

"For requiring the employment in every mine wherein five hundred or more persons are ordinarily employed, of such number of welfare officers as may be specified and for prescribing the qualifications and the terms and conditions of, and the duties to be performed by, such welfare officers."

As regards the qualifications, duties, conditions of employment etc., the respective Acts provide that the State Governments would frame necessary rules therefor. Accordingly, Model Rules were framed under these three central Acts.

Model Rules Framed under the Central Acts

43.7 With a view to providing guidance to the State Governments to frame rules for the appointment of welfare officers, including their qualifications, conditions of service, duties etc., Model Rules were framed by the Central Government under the Factories Act, Mines Act and the Plantations Labour Act. As regards qualifications under all the three Model Rules, following qualifications are common—

- (i) A degree of a University recognised by the State Government in this behalf,
- (ii) Degree or Diploma in Social Science (or Social Work or Labour Welfare in the case of mines) recognised by the State Government in this behalf. In addition to this the Mines Rules laid down : preferably practical experience of handling labour problems in any industrial undertaking for at least three years.
- (iii) Adequate knowledge of the language spoken by the majority of the workers in the factories, mines and plantations (or district in the case of mines) are situated.

43.8. The Central Model Rules called Welfare Officers (Recruitment and Conditions of Service Rules) under the Factories Act, 1948 framed originally in 1951 had laid down fifteen duties. Subsequently, on the recommendation of a Committee appointed by the Government to go into the question relating to the working of labour and welfare officer, certain duties were deleted from the original list. These were :—

- (i) to deal with wage and employment matters by joint consultation with the management of the undertakings and workers' representative bodies;

1. Report of Royal Commission on Labour 1931—page 25.

2. Report of Labour Investigation Committee, 1946—page 126.

- (ii) to exercise a restraining influence over workers going on illegal strikes and over managements declaring illegal lock-outs and to help in preventing anti-social activities;
- (iii) to maintain a neutral attitude during legal strikes or lockouts and help in bringing about a peaceful settlement.

43.9. The amendments in the duties of the welfare officer in factory establishment now absolve the officer from the responsibility of settlement of industrial disputes and leave him free to look after the implementation of welfare provisions contained in the Factories Act and the duties assigned to him under the rules framed by various State Governments in the matter.

43.10. The existing duties of the welfare officer, laid down under the Model Rules, now relate only to ensure the provisions for proper administration of the welfare amenities provided under the Factories Act in so far as manufacturing establishments covered under the Factories Act are concerned.

43.11. Under the Mines Act, two more duties had been added in 1959 and 1966. These are as under:—

1. "Notwithstanding anything contained in sub-rule (i), no welfare officer shall deal with any disciplinary case against a person employed in a mine or appear before a Conciliation Officer, Court or Tribunal on behalf of the management of a mine against a person or persons employed in the mine, except when he is required by the Conciliation Officer, Court or Tribunal to appear as an independent witness:

Provided that nothing in this sub-rule shall be deemed to prohibit a person employed in a mine from approaching the welfare officer in respect of a grievance arising out of any case of disciplinary action against him."

2. "Every welfare officer shall keep a record of his day-to-day work and shall at the end of every year forward to the Chief Inspector through the manager of the mine concerned, a summary of the report of his work during the year."

43.12. In the case of plantations, the Model Rules, though framed, have not yet been enforced. However, under these Rules too, a welfare officer is not expected to take up disciplinary cases or appear on behalf of the employer against workers except when he is required by the Conciliation Officer, Court or Tribunal to appear as an independent witness.

43.13. A different set-up was brought into being to look after the provisions of welfare amenities in respect of workers in departmentally run under

takings of the Central Government under the control of various Union Ministries, like Defence, Communications, Petroleum and Chemicals etc. The Labour Department of the Government of India constituted a separate pool of labour officers in these undertakings. The terms and conditions of service of these officers were framed in 1951. More than 200 officers of this pool are now looking after the provision of welfare amenities to workers employed in these departmental undertakings, except in the case of Railways which have an independent set-up of their own.

Eligible Establishments for Appointment of Welfare Officer

43.14. The provision regarding appointment of labour/welfare officers have not yet been enforced in plantations. The exact number of welfare officers serving in manufacturing and mining establishments, as also in the departmental undertakings of the Central Government is not known. However, according to an estimate, there are 4,000 labour/welfare officers in position, of which about 2,000 are in factories, 1,200 in mining and related industries, about 250 in Central Government pool and the rest in miscellaneous sectors. Though these figures present a rough estimate, they positively indicate that the number of industrial establishments in the country, under obligation to appoint a welfare officer, is negligible. According to statistics collected by Labour Bureau, Simla, only 3% of the factories employed 500 or more workers from 1956 to 1964. The total number of workers employed daily, on an average, was 4,024,258 in all such factories which submitted returns in 1964. Of these, only 2,277,611 workers were employed in such factories which were statutorily required to appoint welfare officer. About 55% of the workers had thus the benefit of advice and assistance of the welfare officers. The existing provision, therefore, leaves out a large number of factories from the obligation of having a welfare officer and thus deprives a sizeable number of workers from the utilisation of the services which the welfare officer can render to solve their difficulties and problems. Statistics with regard to mining are not readily available but it is presumed that in the case of mining industry also, the position is in no way better.

Role of the Welfare Officer

43.15. The Model Rules framed under the Factories Act, 1948, which was the pioneering legislation, to provide for the appointment of a welfare officer, had laid down a chart of duties for the welfare officers. These duties were: (1) supervision of (i) safety, health and welfare programmes like housing, recreation, sanitation services as provided under law or otherwise, (ii) working of joint committees, (iii) grant of leave with wages as provided, and (iv) redress of workers' grievances; (2) counselling to workers in (i) personal and family problems, (ii) adjusting to work environment, and (iii) understanding rights and privileges; (3) Advisory to management in (i) formulating labour and welfare policies, (ii) apprenticeship training programme, (iii) meeting statutory obligation to workers, (iv) developing fringe benefits, and (v) workers' education and use of commu-

3. Inserted in the Mines Rules, 1955 *vide* Notification No. GSR 1511, dated 23rd September, 1966.

4. Amended and inserted *vide* notification No. GSR 607, dated 16th May, 1959.

nication media; (4) **Liaison with workers** (i) to understand various limitations under which they work, (ii) to appreciate the need of harmonious industrial relations in the plant, (iii) to interpret company policies to workers, and (iv) to persuade workers to come to a settlement in case of a dispute; **with management** (i) to appreciate workers' viewpoint to various matters in the plant, (ii) to intervene on behalf of workers in matter under consideration of the management, (iii) to help different departmental heads to meet their obligations under the Act, (iv) to maintain harmonious industrial relations in the plant, and (v) to suggest measures for promoting general well-being of workers; **with workers and management** (i) to maintain harmonious industrial relations in the plant, (ii) for prompt redress of grievances and quick settlement of disputes, and (iii) to improve productive efficiency of the enterprise; **with outside agencies** (i) factory inspectors, medical officers, other inspectors for securing proper enforcement of various Acts as applicable to the plant, and (ii) other agencies in the community with a view to help workers to make use of community services.

43.16. The role of the welfare officer was thus conceived as a person required to be concerned about the implementation of labour laws, proper working conditions, harmonious labour relations, industrial peace, plan productivity and workers' well being. He was, thus, expected to act as an adviser, counsellor, mediator and liaison man both to management and labour. In mining establishments, too, he was expected to perform similar functions. It is claimed that in practice, however, none of the welfare officers have either been permitted to perform the functions for which this officer was conceived or have not been able to perform these functions by themselves without any hinderance what-so-ever from the workers' side or from the management. This institution has been for some time past the bone of contention though for different reasons, for the employers as well as for the trade unions. The Committee accordingly thought it fit to invite the opinion of various parties, namely, State Governments, Public Sector Undertakings, private employers' organisations, workers' organisations and eminent persons in the field of labour relations on the role and status of welfare officer. The question posed by the Committee read thus :

The role and status of Welfare Officer has been a matter of some controversy; some persons hold that he should be statutorily protected and he should not deal with personnel matters ordinarily, unless the establishment was too small to have a separate Personnel Officer; others hold that a Welfare Officer can be effective only as long as he enjoys the confidence of the employers and any statutory protection encroaches on that confidence. What is your opinion?

Views of the Parties

43.17. The State Governments have by and large stated that the institution of welfare officers should be reoriented keeping in view the job, status, salary of the post, powers which are essential for the utility of the officer. It has also been suggested that welfare officers should be appointed by the Government and the employers should deposit their pay and allowances with the Government. His functions should be supervised by the

State Labour department to whom he should be made answerable. He should not be allowed to represent employers in disputes. Personnel and welfare functions should be clearly defined and assigned to different officers. In order to be effective the welfare officer should enjoy the confidence of both the employers and the workers. He should not ordinarily be given personnel work. His main job should be to work as a liaison between the workers and the employer. Employers should be prevailed upon to change their outlook in regard to the functions of welfare officer as otherwise there is little hope that the situation can be improved by any legislation.

43.18. Different views have been given by different State Governments regarding statutory protection to welfare officer. While some have said that he should be statutorily protected so that he may give his independent views without any fear; others have said that any external protection would interfere in the discipline and control intended by the occupier on welfare officer whose employee he happens to be. He should be responsible to the employer with some security of service made in the recruitment rules with a view to gaining confidence from workers' side.

43.19. Public sector undertakings have also given varying views in the matter. Some have suggested that welfare officer should enjoy the confidence of workers so that it would be easily possible for him to settle the day-to-day labour problems arising in the unit. He should not be allowed to handle personnel matters as a representative of the management. It has also been said that welfare officer, being in the pay roll of the employer, can be effective as long as he enjoys the confidence of his employer and discharges his duties, in relation to trade unions and workmen, with reasonable efficiency. He should not have any statutory protection. The employers have now become quite enlightened and they would themselves feel the necessity of entrusting welfare work to some responsible person. The welfare officer should not consider himself a 'third force'.

43.20. Welfare officer should not ordinarily deal with personnel matters unless the establishment is too small to have a separate personnel officer. Welfare officer should be a part and parcel of the Personnel Department. Personnel officers and welfare officers should be inter-changeable with each other. Besides being conducive to their advancement this will also lead to better results. Statutory protection is not necessary for him to function effectively if he knows how to do his job tactfully. To be effective a welfare officer should necessarily enjoy the confidence of his employer and equally so of the workers. Statutory protection is not desirable and he should not handle the personnel matters. Some of the Public Sector Undertakings have, however, emphasised the fact that it is difficult to draw a line between personnel functions and matters pertaining to welfare of workers. To be functionally effective the Welfare Officer should also deal with personnel matters. Some have also said that statutory protection should be made available to the welfare officer, otherwise he would become a tool in the hands of management which would go against the interest of the workers. In small establishments the Welfare Officers should be given statutory protection in regard to their emoluments, status and conditions of service so that they may be able to discharge their functions

effectively and at the same time command confidence both of employers and workers.

43.21. The Central Employers' Organisations have said that compulsory appointment of welfare officers by law should be done away with. They should not be given any statutory protection as their effectiveness would depend upon their ability and the confidence that they create in the employer and the workers. A welfare officer should not be statutorily protected because such protection would encourage a tendency to adopt the role of an outside authority. It has also been suggested that there should be one officer to look after the welfare and personnel functions as these functions in an organisation are indivisible. This is also financially desirable in case of smaller units.

43.22. Some central workers' organisations are of the view that welfare officers should not normally be appointed by managements. The Central/State Government, should constitute a separate service for Labour Welfare Officers who will be employees of the Government. These officers should be deputed by the Government to the factories and they should be answerable to the Government. The salaries of these officers should be recovered from managements. If the welfare officer is to be appointed by the managements he should have security of service. Termination of his services or loss of wages or amenities should be done only with the approval of the Presiding Officer of a Tribunal. Alternatively, Welfare Officer should be directly under the control of Labour Department and his service conditions and duties should be normally defined in a statute.

43.23. In the oral evidence tendered before the Committee some of the workers' organisations, in particular, maintained that unless there was a radical change in the duties, responsibilities and status of the welfare officer, he was not serving any useful purpose. It was necessary that he should be statutorily protected, should not perform the duties of a Personnel Officer and should not be under the control of factory management. It was also suggested that smaller units, which had limited number of employees, should be grouped together and one welfare officer should be appointed to look after the welfare amenities in such units. There should be a Central or State cadre of welfare officers which should be responsible to the Government.

43.24. The others have deposed that the institution of Labour Welfare Officer does not serve the workers at all and should be abolished. They maintain that the implementation of statutory obligations is the responsibility of the management and generally the Personnel Department (wherever it exists) looks after it. If these are not implemented the unions raise the matter. The inspecting staff of the Government checks it up and has the responsibility of getting it implemented if found lacking. The institution of Welfare Officer is used by employers against workers and the designation only creates and maintains an illusion. He is in the pay of the employers, having no authority for the workers and though not a Government employee, supposed to be looking to the Government for help. He is thus not in a position to do anything except what the employer wants.

43.25. The employers maintained that welfare officer should be entrusted with the task of per-

sonnel department with a view to keeping him engaged fully. The welfare officer, without the combination of personnel functions, was an anachronism in the present-day set-up. He should not only essentially enjoy the confidence of the management but also enjoy the confidence of the workers. The institution of welfare officer was not required in plantations because workers and managements could have direct negotiations regarding welfare facilities.

43.26. The consensus of evidence tendered by representatives of public sector undertakings supported the replies given by various public sector undertakings to our questionnaire. It was emphasised that the labour/welfare officer should be a part and parcel of the organisation and he should be directly under the General Manager. A statutory provision for employment of welfare officer should not be made; instead, the factory Inspectorate should be strengthened. Some public sector undertakings also suggested reduction in the number of workers for purposes of appointment of a welfare officer. It was suggested that the number be reduced to 250 workers instead of the existing limit of 500 workers. The bigger establishments, which had a well-organised Personnel Department, could be exempted from the operation of the said limit.

43.27. We have mentioned elsewhere in this Report that in order to have an authoritative version of the extent of implementation of various statutory welfare amenities in factories, we had requested the State Governments to constitute sub-committees or study teams comprising Commissioner of Labour, Chief Inspector of Factories, and two other concerned officers of the State Governments/Union Territories to make a study of the selected industries for evaluating the implementation of various statutory welfare provisions. The States/Union Territories, which set up the sub-committees, have also touched upon the role of welfare officer in the context of statutory welfare provisions and the duties laid down for this officer under the Act. It would be relevant to quote the views of the State Governments in order to have a proper evaluation of the need and utility of welfare officer. These views are as under :

Andhra Pradesh

43.28. The study team observed that welfare officers in some of the factories are not discharging their duties properly with the result that the implementation of welfare provisions is not as effective as it should be. The reason seems to be that the managements are entrusting other duties to the welfare officers.

43.29. There is no provision in the rules, now requiring the managements to intimate the Inspectorate whenever a welfare officer leaves the services either on resignation or discharge. Thus, the Inspectorate is not in a position to know whether the welfare officer is continued in service or not and whether the management have taken steps for appointing another welfare officer, in the resultant vacancy. There are instances where the welfare officer resigned and the fact came to the notice of the Inspectorate after lapse of six months or more. No substitute was also appointed in the vacancy. This difficulty is being experienced as the Inspectors are not in a position to make more than one visit to a factory in a year with the existing work-loads.

Jammu & Kashmir

43.30. Inspectors, staff and the labour welfare officer of the factories should be given more powers and higher status for effective implementation of the Act.

Kerala

43.31. Very few establishments have appointed welfare officers. Regarding the usefulness of the post some of the trade union leaders have stated that as long as the welfare officer is appointed and paid by the managements, the Welfare Officer even if available, cannot function properly. This seems to be correct to some extent. The Committee would take this opportunity to recommend that the appointment, functions and duties of welfare officer need considerable change. It may even be desirable for Government to legislate and appoint them and their pay and allowances should be met by the management of these concerns. Thus they may be considered as Government servants on deputation to the unit concerned.

Rajasthan

43.32. The role of labour welfare officer with regard to implementation of various welfare measures has been quite ineffective. A labour welfare officer is a puppet in the hands of management and cannot force the employer to comply with the provisions of laws. The appointment of labour welfare officer is, by and large, considered only a legal formality by the employers and as such the welfare officers are not assigned the real job for which they are meant.

43.33. Personnel and welfare functions should be clearly defined and assigned to different officers. Welfare officers should be concerned only with the welfare measures.

Rajasthan

43.34. The welfare officers are generally used for clerical work and are not given proper status and responsibilities in respect of the implementation of the Welfare amenities. There should be a provision in the Rules that the welfare officer should personally inspect the welfare amenities to be provided in the factory under the Rules as frequently as possible.

Recommendations and views of the Sri Ram Centre for Industrial Relations

43.35. The vast divergence of views between the parties with regard to the utility and need of the welfare officer as also the status and protection that should or should not be given to him, and the importance that the Government attached to this institution by making the appointment of welfare officer obligatory on employers in all major industries, namely, manufacturing, plantations and mines, led the Committee to decide that it would be appropriate if this subject was also examined in greater details by an expert body in the field of labour welfare and industrial relations. Accordingly, the Committee decided to entrust this study to Sri Ram Centre for Industrial Relations, New Delhi. The Centre went into great details of the genesis, role, functions and training of the Welfare Officer. The recommendations, which the Centre, arrived at after taking into consideration all the pros and cons of the utility, need, role and status

and the terms and conditions of this Officer are as follows:—

- (i) The appointment of a labour welfare officer should continue to be a statutory requirement in factories, mines and plantations.
- (ii) The scope of coverage of section 49 of the Factories Act, 1948, should be amended. Schedules of labour intensive and machine intensive manufacturing processes should be prepared and appended to the Act. Whereas the employment floor of '500 or more' workers (as it currently exists in the Factories Act) should be retained in respect of the labour intensive processes, the limit should be reduced to '250 or more' workers in the case of machine-intensive processes.
- (iii) Section 58 of the Mines Act, 1952 should be amended to extend its coverage to all mines employing 250 or more workers.
- (iv) Section 18 of the Plantations Labour Act, 1951, should be amended so as to require every plantation covered under the Act to designate one of the managerial personnel as labour welfare officer under the Act.
- (v) The Central Pool of Labour Officers under the Ministry of Labour and Employment should be disbanded and employing Ministries/Departments made free to recruit Welfare Officers as required under the statute and/or otherwise desired.
- (vi) For employment in factories or mines, a Labour Welfare Officer should have a Master's degree or equivalent Diploma from a 'recognised' school of social work/labour institute/department of Labour and Social Welfare and should have a working knowledge of the language of the region in which employment is sought.
- (vii) In order to 'recognise' institute for the purpose of (vi), a schedule of institutes be prepared in consultation with the Ministry of Education. The recognised institutes should adhere to the minimum standards of training to be prescribed jointly by the Ministries of Labour and Employment and the Education.
- (viii) The discretionary powers currently vested in the 'appropriate Governments' to grant exemptions either not to employ labour welfare officers or to waive essential qualifications should be withdrawn.
- (ix) Labour Welfare Officers training course run by several States and Labour Commissioners' Examinations to qualify for the job of Labour Welfare Officer should be scrapped.
- (x) The 'neutral' or 'buffer' role currently assigned to the Labour Welfare Officer should be modified. Sections 49 and 58 of the Factories Act and the Mines Act respectively, and the rules framed thereunder should be amended to require the labour welfare officer to function as a

part of and on behalf of the management. He should be entitled only to such protection as is available to other management functionaries in the enterprise. His employment should be a subject matter of bargaining and individual contract. As such any provisions relating to his status and salary should be abolished.

- (xi) Relevant sections of the Acts should be amended to enable a Labour Welfare Officer to discharge all such functions as are assigned to him by the management, other than the prohibited functions. The prohibited functions might be the following :—
 - (a) to appear in law courts on behalf of the management or to prepare briefs for the purpose, and
 - (b) to take disciplinary action against the workers.
- (xii) Statutory provisions should be made for the appointment of group labour welfare officers for such factories, mines and plantations as are of smaller size but located in clusters in compact areas.

43.36. The Centre feels that the growth of modern management movement in the country has had a significant influence on the performance of welfare function in industry. The primary concern of management movement is to improve the efficiency of the personnel in industry. Since efficiency of an enterprise is dependent, amongst others, on industrial peace, physical environment and satisfying atmosphere prevalent therein, it was necessary that the Labour/Welfare Officer was called upon to assume some of the personnel functions as well. The current functions of the Labour/Welfare Officer have been influenced by the social reform movement in the country, public concern for improving labour administration in industrial enterprises and the growth of modern non-management movement in industry. The fact that the job packet of a labour welfare officer has welfare and personnel relations components, is not just accidental or an arbitrary imposition but a logical consequence of the pattern of historic growth of industry in the country. The factors that led to the emergence of welfare function in industry have since undergone a change in substance and degree. Industrial labour is no longer an underdog. It constitutes the single largest organised group in the country and is very articulate. A large segment of the industrial work-force is claimed to be unionised, which is further centralised into apex bodies, who participate in the formulation and implementation of social policies. The State has also taken extensive steps to promote labour standards and to circumvent employers authority. Standards of safety, health, welfare, working conditions and hours of work as well as fixation of wage rates and their payment, fines and punishments, etc., are no longer the exclusive prerogatives of management. It is also being increasingly realised that good labour administration in an enterprise is conducive to efficiency and productivity. Employers' obligation to ensure compliance of a large number of statutes and to submit to the Government a variety of returns in the prescribed manner has compelled them to appreciate the need of labour administration as a specialised function in the enterprise.

43.37. The complex and science-based technology, which is being utilised by the newer industries such as petro-chemicals, pharmaceuticals, electronics, communications, machine tools, precision instruments and electrical and mechanical goods, has had profound effects on the context and performance of welfare function in industry. The traditional image of the Indian Industry as labour intensive employing uneducated, rural and unskilled work-force at sub-standard levels is not valid any longer. The labour welfare function has thus now to address itself to the needs of right conscious rather than well-off and organised labour force. These developments have had important bearings on the welfare functions in industry. Industrial welfare can no longer afford to be paternalistic in the sense of doing welfare of uneducated, low paid and underprivileged work-force.

43.38. It has been the experience that the standards of labour administration in bigger and older plants and the compliance of welfare provisions by them are, by and large, satisfactory. Sheer size of work-force compels big plants to streamline their bureaucracy if business is to be conducted with any efficiency. Older age of the plant has permitted sufficient time for personnel practices to get stabilised. Trade unions have emerged in these enterprises and have come to stay. Traditions of living together have also developed in most cases. Most of these enterprises employ labour welfare officers. In addition, they also employ Personnel and/or Industrial Relations Officers. Very often there is a personnel office with hierarchy of function in which the welfare function stays at the bottom. Even if the sections dealing with the appointment of labour welfare officers are removed from the relevant Acts, in all likelihood these plants will continue to employ labour welfare officers. It is equally unlikely that labour will permit the withdrawal of welfare services currently being given or the lowering of standards of such services. However, it is equally unlikely for the status of welfare function to move up in the plant hierarchy. On the other hand the problem of securing the statutory welfare services for workers continue to be acute in enterprises that are either small or new or located in far away places in the interior. Most of these plants are not covered under Section 49 of the Factories Act, 1948, or Section 58 of the Mines Act, 1952.

43.39. The plantation industry poses a peculiar situation. Section 18 of the Plantations Labour Act, 1951, requires 'covered' units to appoint a labour welfare officer if they employ 300 or more workers. The provision has not been enforced so far. In this industry the 'estate' is a composite residential-cum-production unit. Workers supervisors, staff and managers, by need and traditions, live on the premises of the employing estate. The work requires mostly manual labour. Unlike a factory, the managerial personnel work is in direct relationship with labour and the principal task of the former is to keep the latter motivated by attending to their needs and comforts. A welfare officer not being a production person, is unlikely to have any meaningful contacts with labour which is scattered all over the estate. Further, a good deal of the work of plantation unions, unlike their counterparts in factories, consists of securing the compliance of statutory or contractual provisions for workers' health and welfare. Under the circumstances, if a welfare officer could be effective, he should put the union out of business. And if he

is ineffective he might as well not be there. It needs no emphasis that workers will prefer a union to an officer who is on the employer's pay-roll. We think that the Plantations Labour Act should continue to have extensive provisions regarding workers' health and welfare. But the labour welfare officer is not the proper functionary to secure the compliance of statutory provisions at the level of an estate. One of the managers, if designated for the job, in our opinion, will be more effective. As in factory industry, the smaller plantations, many of whom may not be covered under the Plantations Labour Act, 1951, provide pitiable welfare services to their workers. Steps will have to be taken to provide a measure of welfare to workers employed in such smaller estates.

43.42. Second, the 'naturalness' concept of the shows that the need to employ a labour officer in industry continues to exist. But his goal could no longer be regarded as a social reform. The labour welfare officer must take responsibility for labour administration in the enterprise and for contributing to its efficiency and output. In fact, most medium size enterprises in the country—and they constitute the bulk—employ only one functionary to handle welfare and labour administration in the plant. Any other arrangement would have been both uneconomic and impracticable. It is fallacious to consider that welfare, personnel and industrial relations aspects of labour administration are incompatible. Improved efficiency cannot be achieved without giving attention to industrial peace which in turn is a function of several social, psychological and physical variables involved in the plant life. Under the changed circumstances, the Labour Welfare Officer could be regarded as a technical person who specialises in handling human relations, managing social services and administering personnel policies. The extent to which these functions could be combined in one person will vary, of course, from plant to plant, depending upon its size, location, market and managerial hierarchy.

43.41. The few available studies on the subject support the general view that Labour Welfare Officers have not been able to discharge functions assigned to them. Most of those officers have not always been given the role and status envisaged for them by the States. In many companies, they are essentially the supervisors of various welfare programmes for workers. In other cases, they are also associated with recruitment, wage and salary administration, grievance handling, conducting enquiries etc. The cases where they play effective role in the formulation of personnel policies are very few. There are several reasons for the deviation of the practice from the norms set by the statutes. First, many employers tend to regard the statutory basis of the Labour Welfare Officer as an infringement on the management rights. The feeling is all the more great because they (employers) are not left free either in assigning duties to the Labour welfare Officer or in treating him like other officers. Individual employers do grumble in public and private. But faced with a hostile political climate and administrative pressures, they have no recourse but to employ Labour Welfare Officers. Having employed a labour welfare officer, either they render the functions meaningless or they assign many additional duties to him. In the final analysis, an officer cannot be more effective than permitted. Management's cooperation is a sine qua non for the effective functioning of Labour Welfare Officer.

We recognise that many companies will continue to employ Labour Welfare Officers and like to see them function effectively, even if they were not required by law to do so. But we apprehend that many other companies, particularly small or new or those located in outlying areas, may dispense with labour welfare officers if they were free to do so. Therefore, we feel that whereas the statutory obligation to employ Labour Welfare Officer should continue to exist, the companies should be given freedom to mould officer according to their own needs, provided the basic requirements regarding welfare functions continue to be met in the enterprise. The effect of this recommendation, on the whole, will be healthy. In large corporations, where centralised 'labour' departments exist, the factory based labour welfare officer will continue to function, as currently envisaged by law, but will report to the head of the personnel department. In medium size undertakings, the welfare and personnel functions will get merged in one functionary. There is no denying the fact that in the context of the total industrial picture in the country, labour welfare symbolises the personnel management field.

43.42. Second, the 'naturalness' concept of the function of labour Welfare officer, however well intended, is poorly conceived, ill-defined and generally meaningless. The labour welfare officer is recruited and paid by the management. The latter also evaluate his performance, determine increment and promotion (if there could be any) and have the final say whether the man is going to stay at the expiry of his contract. Under these circumstances, the labour welfare officer will be less than a human, if chooses to act contrary to the wishes of his superior. It is equally unrealistic to expect workers or unions to perceive this functionary as anything other than a management person.

43.43. Again being an officer of the company's pay-roll, a Labour Welfare Officer cannot avoid responsibility of the management's decisions. Being a neutral or otherwise, a labour welfare officer can do little and achieve nothing if other officers and managers go on creating problems one after the other. Good labour welfare is no substitute for poor management. Remaining neutral does not help a Labour Welfare Officer if he works in a plant characterised by poor management. It should be clear that the ability of a Labour Welfare Officer to do good to labour in a plant is related to his ability to establish a positive relationship with the management which will be possible if he is one of them. Moreover, under the present neutrality oriented arrangement the company can always say, "We have employed a Labour Welfare Officer. If things are not good, we are sorry the man is not working properly." If the labour welfare officer is a part of management, the latter have no one to shift responsibility to. Having considered all aspects of the situation, we recommend saying goodbye to the quixotic ideal of neutrality and resort to a more pragmatic and rational approach. The Labour Welfare Officer should be a part of the management team, responsible to the management for efficient discharge of welfare and personnel functions in the plant.

43.44. This brings us to the problem of 'protection' to Labour Welfare Officer. The experiences shows that this provision has contributed a lot to

the lowering of the standard of welfare services in industry without doing any good to the labour welfare officer. If a company does not want an officer, it can always find ways to get rid of him. At any rate, it can render him 'useless' even if he opts to complete his tenure. The real protection to an individual lies in his playing such role as is relevant, necessary and useful to the goal achievement of the organisation where he works. Everything else is akin to props which is neither lasting nor an organic part of the organisation. The protection afforded to labour welfare officer makes him an 'outsider' to the management group, pushes him outside the managerial hierarchy, blocks his promotion possibilities and reduces his job to a blind alley position. The Labour Welfare Officer is a technical person trained to handle specified kind of jobs in a given settings. He is not a social reformer, though his actions may contribute to it. Once employed, he seeks rewards for good work, promotion and recognition which can come only if he is a part of the managerial hierarchy. It is precisely for this reason that most labour welfare officers like to undertake personnel functions in the hope that some day they will become Personnel Officers and enter managerial hierarchy. Again, 'protection' clause makes it possible for incompetent functionaries to stay on job. A low calibre man will accept a low-key and routine but 'protected' jobs and plan to spend his life-time there. An unwilling employer takes him on and fulfils his legal obligation. In the process it is the worker who suffers more than any one else. Scrapping of 'protection' clause will permit sorting out Labour Welfare Officers on the basis of their competency. More competent officers will be able to do good through better job performance, thereby raising the standard of service to workers. Such a situation might even compel the training institutes to reconsider the quality and quantity of their intake policy and to improve standards of training. An officer who depends more on the quality of service that he renders than on the legal protection afforded to him by the State will also receive a greater acceptance from his employer.

Study by Bombay Labour Institute

43.45. The Bombay Labour Institute of the Government of Maharashtra also conducted a study on 'Labour Welfare' and 'Welfare Officer' in Indian Industry, in 1966. According to this study the various view points exist regarding the role of 'Welfare Officer' in Indian Industry. Some look upon him as 'Staff Adviser', while others think of him as a 'Buffer Zone' between labour and management. The 'Third Force' theory is also popular among certain sections, while some professionals emphasise on his 'Non-Aligned' role. Schools of Social Work, which conduct the professional training programme for this cadre, however favour his role as a 'Social Workers in Industry.' In its view, in practice, the role of Welfare officer, at least in part resembles to that of a staff specialists having no independent power and authority in the line of organisation. He does not make the policy, but all the same he can contribute to it, and this may not add to his popularity but it surely adds to his value. As an adviser he has the responsibility of giving conscious advice, whether it is palatable or not, while as a functionary in the organisation he has to implement some of the management's decisions.

43.46. A section of the Indian Industry looks upon the welfare officer as a 'Third Force' that is, he is an independent liaison officer between the conflicting groups of management and labour. This concept is appealing to those who feel either that top management does not give them enough support or that identification with management weakens their position with workers and trade unions. When the welfare officer is an employee of an undertaking and is appointed by the management, basically, he cannot be the 'Third Force' between labour and management having independence of status and decision making power of his own. His is not a role of an Excise Inspector or a Factory Inspector who are Government appointees and have independent status and authority. He is a 'conciliator' in the professional sense and in the area of manpower he has to make efforts to obtain the best possible results for the undertaking as a whole.

43.47. The welfare officer is at times looked upon as a 'Buffer Zone' to push-in effectively the opposite forces of labour and management in industry and by creating a positive relationship between them and channelise them into a cooperative team of effort. Some academic circles hold the view that welfare officer plays a 'non-aligned' role between labour and management frictions. If both the parties have equal case, his free casting vote should go in favour of labour which deserves his imaginative sympathy, at least at this stage of country's industrial development.

43.48. Theoretically it may be true but the practical reality is somewhat different. All that a welfare officer can aim at and attempt is to be fair and just, as far as possible to both labour as well as to management.

43.49. There is a significant feeling among the professional training institutes that the welfare officer plays the role of a social worker in the industry. They are of the view that the labour officer must be seen as a social institution of a professional character, designed to deal with problems of relationship in industry. It is, in essence, 'problems solving within industry.' There is a substantial truth in the social role of welfare officer. It is clear from the qualifications and requirements of these officers that they are intended to inculcate the social work attitude and discipline. What is required in the present circumstances is a clear understanding of social work in industry and the place of welfare officer in the context of duties laid down under the relevant rules. It is felt that in the role of welfare officer, there is a strange admixture of social work orientation and business orientation. The personnel officer is employed by a private firm with the understanding that his orientation would be business one rather than social one, and the welfare officer, originally intended to have a social work orientation, will function as a personnel officer. There is a conflict of objectives in orientation itself i.e., between welfare work as an enabling function and personnel welfare work as a disciplinary function. According to an American expert "We in the United States would never think of trying to combine them (Welfare and personnel works) in one and the same person, because the job to be done in either case, is so big a job that one person simply cannot do both certainly one person cannot do justice to both, besides, neither of the personnel management, or industrial rela-

tion functions is labour welfare to his social work of changing." 5

43.50. While reviewing the present position of welfare officers, this study quotes one of the reports of the Estimates Committee of the Maharashtra legislature. Commenting on the role of welfare officer, the Estimates Committee had observed that they "were not strictly confining themselves to duties pertaining to labour welfare but were, in fact, asked to undertake duties at the behest of the Management, not only unrelated to labour but even inconsistent with, if not hostile to, the main purposes for which the labour welfare officers are appointed." The study further goes on to say that it is largely true that labour welfare in India has not yet attained its true identity, and it is unfortunate that the role of welfare officer has yet to earn proper recognition; it remains more or less, a thankless job. According to a paper submitted by an expert, Professor Kudchedkar, in a conference of Schools of Social Work in India, held in Varanasi in 1964, "Even among enlightened employers and progressive industrialists, the institution of industrial jurisprudence sometimes is the negation of the labour welfare philosophy and social work practice."

43.51. It is complained very often that managements do not permit the welfare officer to promote real welfare functions, and he is perforced to work as a personnel officer. But this blame is not all on the management; but welfare officer himself shares the situation, at least, partly. The welfare officer is strongly tempted by the power position of a personnel officer to succumb to its attractions and ditch his welfare and social obligations on the way side. He is so tempted because traditionally and organisationally the personnel officer in practice uses more powers and commands higher status in the establishment since he deals with certain man-power management functions of recruitment, promotion, retirement, discipline etc. on the one hand and industrial processes on the other. Once he takes over these conflicting functions, his professional and social work interests clash with the organisational expectations from him.

Views of the Welfare Officers' Association and other Parties

43.52. In their written replies submitted to the Committee as well as in the oral evidence tendered before it, some of the associations of welfare officers have also demanded that they should be made a part and parcel of the personnel departments of establishments in which they serve. The representatives of the Uttar Pradesh Labour Welfare Officers' Association, in their evidence tendered before the Committee in Lucknow, even stated that the nomenclature of labour officer be changed to that of personnel officer. There is a feeling that if the welfare officer is not given personnel duties, he continues to remain in an isolated appointment, which has no cadre structure, and which does not offer any avenue for promotion to the welfare officer. The welfare officer does not derive satisfaction because he has no powers and his functions are only advisory in nature. The U.P. Labour Welfare Officers' Association also contended that in fact the impartiality of a welfare officer could be an asset in the matter of recruitment and in conciliation measure at unit level in

the first instance. His integration with the personnel department could, therefore, in no way, adversely affect his duties as welfare officer as per provisions of the Factories Act, etc. Similar views have also been expressed by the representatives of the Association of Central Government Labour Officers before the Committee. This Association also maintained that the welfare officer should be a part of the management. He could, due to his specialised training and mental make up, be able to function properly as welfare officer while even remaining a part of the personnel management. The welfare officers could, therefore, be given all duties of personnel management barring only those like handling of disciplinary cases which were likely to bring them into conflict with workers. In fact, labour officers of the Central Pool, in actual practice, have been combining both the welfare as well as personnel duties and by doing so, the duties purely of welfare officers have not been ignored or sub-ordinated to personnel functions. In fact there has been a greater success in welfare functions because of combination with personnel duties which confer on the welfare officer, not only advisory functions but also administrative authority to solve the problems of workers.

Views of other Organisations

43.53. Both these associations and many others which gave their views on this subject also contended that the duties of the welfare officer and the Personnel Officer should in fact be interchangeable so that both the wings of the Personnel Management can be given equal opportunities to exercise their talent and contribute their best in the maintenance of harmonious industrial relations and implementation of labour welfare measures. Such an arrangement would also go a long way in removing the frustration which had overtaken most of the welfare officers because their service conditions in all States were not uniform, their pay scales were low, they had no authority, and as such, they were either not fully utilised or they themselves did not take interest in the work which was for them because of lack of opportunities as compared to their counter-parts in the Personnel Department. It was also suggested to the Committee during the course of oral evidence that the provision of welfare officers was made at a time when employers considered welfare Officers unnecessary and were suspicious about their role. The outlook of the managements has considerably changed and they themselves require trained and qualified welfare officers in the interest of industry and workers. Too much control on recruitment, salary and other conditions of service by Government is putting good and able welfare officers in a disadvantage as grades offered by some of the State Governments are much below compared to the scales in the private sector. The welfare officers in those States are deprived of the salary and status that they should get. All these have dampened the enthusiasm of welfare officers in general which has in turn affected the implementation and administration of welfare amenities. At present, no welfare officer needs any protection by statute for his security of service.

43.54. In Kerala, the Committee was told that it was not necessary to appoint welfare officers in the Industry as their appointment was neither

5. Dr. Herbert Aptekar as quoted in the Bombay Labour Institutes Brochure "Labour Welfare and welfare officer in Indian Industry", pp. 13-14.

favoured by management nor did the workers want them. Matters relating to welfare could be settled by the management and the workers direct and no intermediary machinery was called for. Such machinery only contributes towards creating bad blood amongst workers and managements. It was also suggested to the Committee in some of the States that instead of asking managements to appoint welfare officers, the Government should strengthen their Inspectorate and divide it into two wings, one for technical matters and the other for non-technical work, namely implementation of welfare amenities etc. Non-technical inspectors could look after the implementation of the provisions of enactments relating to welfare. This would also be cheaper for the Government to have more non-technical inspectors because it was not necessary that they should be of the same status as the technical inspectors would be. At the same time, some parties had suggested that strengthening of the State Inspectorate could not be a substitute to the appointment of welfare officers because the appointment of these officers in the statute provided an in-built system in an establishment itself so that regular and sustained attention could be paid not only to the implementation of welfare amenities to be provided to the workers but also to resolve various other personal grievances which adversely affect a worker's willingness or capacity to work and produce.

Our Views

43.55. The account of views given in written replies by the parties to the Committee, the oral evidence tendered by them before it and the views of the specialised studies contained in the preceding paragraphs, bring out to surface the controversy that has been going on this subject for quite some time. The purpose of including a specific question on this subject in our questionnaire was to have the benefit of all shades of opinion so that a consensus could be arrived at on the basis of maximum cross-section of views represented by all parties which are vitally concerned with the institution of welfare officer. Though in the question that we posed, the parties were not asked to give their opinion as to whether a welfare officer was at all necessary or not, yet some of them, especially the employers' representatives, have mentioned that it is no longer necessary to make the appointment of welfare officer binding on them under a statute.

43.56. It has also been stated by them that in law the responsibility for implementation of statutory obligations being that of the occupier himself, it is for him to devise ways and means to get welfare amenities implemented. It is not necessary to suggest that the management should appoint a particular person, with a particular background and qualifications, to ensure implementation of welfare amenities. The Government should, on the other hand, augment its Inspectorate to ensure that the occupier implements the welfare amenities. The workers' representatives also feel, though for different reason, that the purpose of providing this institution statutorily would not be served unless the method of appointment of welfare officers and the protection given to them under the law is radically changed. It is no use continuing these officers if they are to be appointed by the employers and are to be paid, promoted and dismissed by them, because in such circumstances they cannot be expected to maintain that impartiality and neutrality which is expected of them.

43.57. We are not inclined to accept the view that the Government Inspectorate can be a substitute for welfare officer. It is impossible because the Government cannot have that elaborate machinery as to ensure frequent inspections of all establishments by Government officers to make sure that amenities are properly provided and implemented by the employers. The welfare officer is not only expected to look after the implementation of welfare amenities; in actual practice he does personnel welfare work also. We are, however, agreeable to the suggestion that with the growth of Personnel Departments, one of the officers of the Personnel Department can be deputed to look after the functions usually performed by welfare officer. It cannot be denied that since the statutory provision for appointment of a welfare officer in the Factories Act, 1948, there has been tremendous advance in the managerial and administrative skills. It has been increasingly recognised and appreciated by managements that, however, impressive the vast machinery of modern industry may, there is no getting away from the fact that the machinery cannot achieve its purpose without proper cooperation from human beings who are meant to design and run it. It is, therefore, one of the primary functions of any management, which has to run its business successfully, to pay due regard to the problems and needs of the workers, and also to establish machinery for the settlement of their grievances and promotion of smooth and healthy human relations. To get the work done in any organisation, it is said, the people engaged in it require three things if they are to work happily and efficiently, namely, the economic satisfaction of a reasonable livelihood, the social satisfaction of working together as members of a group, and the individual satisfaction of doing a job well. The concept of personnel management, though of comparatively recent growth, is the child of scientific management and the awakened sense of social responsibility evinced in the countries of the West at the end of the 19th Century. The term 'Personnel Management' which originated in America can be taken as synonymous with such functions as labour welfare or labour-management, personnel or staff management, industrial relations or human relations in industry. The actual title is of little significance if the job done is the same.

43.58. The above observations fully corroborate our conclusions. We have also seen that in a number of establishments, the functions of the welfare officer have already been dovetailed with the Personnel Department. We find that in Hindustan Steel Limited and also in many other establishments both in the private and public sectors, the chiefs of the establishments, namely, Chairman or Managing Directors have found it necessary to have continuous assistance of experts to deal with Personnel Management. A Director of Personnel or his equivalent has thus become an essential member of the top management team of any industrial undertaking. Under his administrative control, there are a large number of welfare-cum-personnel officers who are further divided into two categories: (i) those looking after welfare functions and some personnel functions and (ii) the other looking mainly after personnel functions including functions relating to disciplinary action against the workers etc. These officers are interchangeable. This not only gives strength and status to the Welfare Officer but also ensures for him a better prospect in course of time and, at the same time, enables the employer to fulfil the

purpose of law, that is, to appoint an officer to look after the implementation of welfare facilities and other allied welfare problems.

43.59. It is necessary that Personnel Department must be staffed with persons who have proper aptitude and qualifications for the jobs which they are expected to perform. The basic function of the officers of a Personnel Department is to know and understand, in all its ramifications, the nature and problems of industrial psychology.

43.60. Industrial psychology is concerned with the physical aspect of the work and environment as for instance lighting and temperature and their affect on work output and safety. It is the study, to a major degree, of the principles and practices of human relations. It is the study of attitudes and motivation that effect high morale and enthusiasm at work and of the causes of monopoly that bring about boredom; it is the study of mental health of the job and of ways of helping back to mental health those people who have become upset and confused, is the study of their relations between the supervisor and his subordinates and of the factors which lead to industrial strife or to co-operation between management and labour. Industrial psychology is a complicated study of a number of things. But it is always primarily the study of people—as individuals or in groups—in the work situation. The scope of Industrial psychology is the same as the scope of Personnel Management i.e., the entire process of management dealings with people at work. "Industrial psychology differs only from Personnel Management, in that it emphasises the scientific and research aspects of people at work and omits many of the routine administrative details".⁶

43.61. The above observation strengthens our belief that the duties that a welfare officer is expected to perform, are of a highly specialised nature and persons having a proper background and training of these duties alone can fit in to perform these jobs satisfactorily and any officer

of the Personnel Department cannot be expected to undertake these duties. Various training schools exist in the country to impart this specialised training. The Specialised Training Programme of every school has three basic components, namely, knowledge of the basic concept of social sciences, philosophy and fields of social work, study of skills to deal with individuals and groups; and, field work organised to impart practical training. The purpose of designating any particular officer to look after welfare duties would not serve the purpose unless that officer has the proper training in the matter.

43.62. After having gone into all the relevant factors and all the views expressed before us on this important institution of welfare officer, we recommend that the statutory provisions for the appointment of a welfare officer in factories, mines and plantations, were made to ensure that the managements appointed a person exclusively to look after welfare needs of their workers and also to help them in discharging their statutory obligations for implementation of statutory welfare measures. It has been represented to the Committee that with the growing realisation of the need, place and role of welfare amenities, not only in the maintenance of happy industrial relations but also in the enhancement of productive capacity of a worker, by the employers themselves, it no longer seems necessary to appoint a welfare officer solely for the purposes of looking after welfare activities. Such officer, we feel can be part and parcel of the Personnel Department of the management. However, in order to ensure that the welfare amenities, statutory or otherwise, are provided and organised properly, the Committee recommends that the managements should designate one of the existing officers of their Personnel Departments as Welfare officer to fulfil the purpose of the law. The Committee further recommends that the managements should ensure that only such officers of the Personnel Department are designated to look after the welfare activities as are properly qualified to hold these posts and have aptitude for welfare work.

6. Thomas Willard Harrell, Professor of Industrial Psychology, Graduate School of Business—Stanford University.

CHAPTER XLIV

YOGA AND NATURE CURE

Introduction

44.1. Medical and health care has been recognised as a very important segment of the welfare amenities available to industrial workers. The maintenance of physically and mentally healthy, stable labour force is a very important factor in the economic and social development of any country. It is specially important in countries like India where most of the production processes are still being done manually.

44.2. Medical and health care has been divided into two parts viz., care on work-site and care that a worker and his family must receive outside the workplace. Elsewhere in this Report we have dealt with in great details the inadequacy and deficiencies of the medical and health care available to workers whether in factory establishments, mines or plantations. Even within the limited existing facilities available, no emphasis seems to have been generally laid on the preventive aspect of medical and health care. The curative aspects, have been constantly engaging attention of the Government, employers as well as of trade unions, not necessarily for same reasons. The Employees' State Insurance Scheme has been brought into being for factory workers which has been in operation since 1948. It has yet to go a long way in providing even minimum medical care to limited workers eligible under the Scheme. A Review Committee was set up which brought to the fore a number of deficiencies in this Scheme. We, too, have taken note of these deficiencies and have stated that the recommendations of the Review Committee for full medical and health care should be expeditiously enforced. In the case of plantations, provision with regard to medical facilities, whether inside or outside the work-place, is a statutory responsibility of the employer. Our Report on Plantations reveals that there too, though a considerable ground has been covered, much still remains to be done to implement statutory provisions. In Mines the deficiency in the provision of medical and health care by the State is partly met by the employer and partly in case of certain minerals like coal, mica and iron, by their respective Funds. The emphasis all through is and has been on effecting improvements in curing the various diseases that afflict the workers. In so far as agricultural labour is concerned, the inadequacy of medical and health care is prominently marked not only for agricultural labour but for rural India as a whole. This sector of Indian work-force has still to go a long way even to come up to those standards of medical and health care as are available to industrial workers in factories, plantations and mines.

Susceptibility to Occupational Diseases

44.3. It has been recognised since long by the authorities that induction of technology in industry has brought in its wake various human and social problems. One of these problems not always readily perceptible is consequence of occupational diseases and disorders.

44.4. According to the reports published by Chief Adviser, Factories, Ministry of Labour,

Government of India "There is no organ of a body which cannot be effected by occupational disease. It is reasonable, therefore, to find that the symptoms and signs, that may appear among the manifestations of such diseases, are very often indistinguishable from those symptoms and signs that may occur with other diseases unrelated to occupation. Indeed, there are certain diseases which may be occupational or non-occupational dependent upon circumstances..... it will be apparent that many difficulties may arise in the diagnosis of occupational diseases, more so if occupation as a possible cause of illness, is overlooked..... toxic agents used in industry may enter the body through the skin or the mucous membranes..... the effects of industrial exposure to toxic materials or conditions may also manifest themselves in organs or tissues from the point of initial contact of the agent with the body". The Report also goes on to say that "mention must be made of the role of physical factors, such as, excessive heat, excessive humidity, and radiant energy in the causation of illness in industry. Local action of ultra violet rays may possibly cause damage to the eye tissue. Ionizing radiation may produce damage to the skin or it may, by cumulative effect, produce serious damage to other vital organs..... The cumulative nature of industrial poison may depend either accumulation of poison of toxic amount or on accumulation of the effects to a level of clinical manifestation".

44.5 This Survey makes it abundantly clear that such exposures as have been referred to above give rise to diseases like eczema, skin burns, skin cancer, ulceration of nasal, septal lining, marked irritation of the lungs, irritation of the trachea and damage to the intestinal track, impact on the function of kidney and various other ailments like gum inflammation and cases like lead and arsenic poisoning, silicosis, etc.

44.6. The doyen of labour legislation in the country, that is Factories Act, 1948, is the first comprehensive enactment which *inter alia*, provides for improvement of working conditions, of medical and health care and for mitigation of occupational hazards. These hazards etc. not only make in-roads on the health of a worker but continue to persist un-noticed till the body caves in the form of a regular disease. The slow, sagging and consuming effect of the occupational and other diseases is considered to be so dangerous that a special provision has been made in the Factories Act. It enjoins on a medical practitioner who attends on a person and who is or has been employed in any factory to immediately communicate to the Chief Inspector of Factories in writing if he detects the presence or even the traces of notifiable diseases mentioned in the Act. But information available with the Committee Shows that this provision has not been generally implemented. The States have either only one medical inspector of Factories to look after all the factories in a State or there are no certifying surgeons to take notice of such diseases. This unsatisfactory situation appears to be due to various factors like lack of adequate funds, personnel, enforcement, supervision and services.

44.7. The Inspectorates are chronically deficient in staff. A number of States have no medical Inspectors. The remaining ones with the exception of Punjab and Bengal have one each. With this state of affairs even casual detection on preliminary survey of the persons or otherwise of occupational diseases can only be a random sample of the millions who stand exposed to contact either occupational diseases or diseases un-connected with their occupation due to poor diet.

Importance of Preventive Measures

44.8. High priority should be given to ensure existing statutory provisions and to further strengthen them. The limitation of resources should be recognised and all knowledge skills and resources should be motivated. It is in this context that we explored the possibility of the systems of Yoga and Nature Cure with the medical and health care available to industrial workers. It is claimed that Yoga has vast potentialities of preventive measures which are indigenous, handy, practicable with comparatively negligible drains on finances. There have been some sporadic efforts here and there to induct Yoga and Nature Cure amongst the industrial workers but these efforts have either been too isolated to create any impact on the industrial workers as a whole or they could not be continued for lack of organisation, funds, systematic and sustained effort resulting at times in indifference from the beneficiaries and diffidence among the organisers.

44.9. In order to benefit by the cross section of views of various institutions and research organisations engaged in the propagation of Yoga and Nature Cure, we addressed over 60 such bodies all over the country. They were requested to give us their views on (i) the therapeutic, preventive and curative value of Nature Cure/Yoga System, (ii) a plan for training of personnel and organisation of the institute including financial implications and the administrative requirements, (iii) could Nature Cure Clinic/Yoga System Institute conveniently establish any coordination with Sanatoria and health resorts at place of salubrious climate etc.

44.10. We have received a number of replies in response to our questionnaire. The views of some of the important and well established organisations are recapitulated in the succeeding paragraphs.

Some Important Views on Yoga

44.11. Yoga is no longer a realm of Yogis, Mystics, sadhus or run away from the main stream of social life. It is a vibrant medical system which is gaining acceptance in its efficacy both in India and abroad.

44.12. According to some investigations carried out by the Department of Physiology, All India Institute of Medical Sciences, New Delhi, three types of individuals are engaged in the practice of Yoga. Firstly, those who are healthy and are living routine family lives. They practise Yoga sometime during the day to improve the efficiency of their body functions and seek relief from physical and mental stresses. Secondly, there are those who practise Yoga to achieve spiritual enlightenment. They go through a long continued practice of Yoga for this purpose. Thirdly, those who undergo Yoga therapy for obtaining relief

from certain disorders of the body. Studies have been conducted on the first two types of categories referred to above. The effects of these exercises in curing disorders of the body had been evaluated by a team of experts constituted by the Central Ministry of Education, in 1962. Some of the important observations from these studies are summed up below :—

1. Such individuals as practise Yoga feel better physically with regard to the improvement in the physical efficiency of the body. This fact, however, does not seem to be different from the general effects of exercise acquired by practising any other system of physical exercises.
2. Yogic practices, however, are also able to produce a tendency in the individual to a more relaxed physical and mental state in the body. This tension relieving effect of the Yogic exercises appears to be more marked than the purely physical exercises aimed at the achievement of the heights of physical perfection for athletic purpose.
3. Normally individuals practising Yoga have a tendency to develop a constitution which activate processes in the body required for an economic use of energy. This has brought about a shift in the balance of the activity of the autonomic (voluntary) nervous system towards parasympathetic dominance which normally favours energy conservation and relaxation in the body. This aspect in itself is quite useful for improving the physical state of a person and his mental orientation.
4. It is possible for Yogis to develop voluntary control over their autonomic functions; some more detailed studies are, however, necessary in this direction to arrive at a perfect conclusion.
5. A positive influence over physical and mental health appears to be attainable by proper practice of Yoga. There is a possibility to condition the body functions in a desired direction.
6. Yogic practices when done in a planned fashion can help to maintain and keep in a good health and in the prevention of the ill-health by removing physical and mental tensions. Yogic practice can be united to produce some predictable changes in the functions of body for positive health even by normal individual.

44.13. The observations of Kaivalyadhama, Shreeman Madhav Yoga Mandira Samiti, Lonavala, Poona on the efficacy of Yoga are as follows :—

1. Over 44 years research and experience shows that Yoga system could be very helpful as a method of physical culture for keeping good health, achieving emotional stability and for prevention and cure of disease.
2. For industrial workers also physical culture is a necessity for a balanced healthy life. Yoga system is best suited for this

purpose. Even a short course of Yoga exercises including Asanas, Pranayamas, and Kriyas would help in maintaining optimum health and emotional stability leading to a disciplined life.

3. Yoga institute could be coordinated with different sanatoria, health resorts and hospitals.

44.14. Yoga Institute Santa Cruz, Bombay, has stated that Yoga in India which is more than 3000 years old has traditionally handed down certain psycho-physical practices as an aid to the acquisition and maintenance of physical and mental good health... our modern one sided approach to various human problems can be very fittingly complemented by the integralistic application of these indigenous methods.

2. The removal of diseases both psychic and somatic is one of the means of Yoga.
3. The institute has been studying the problem of Yoga Therapy for the past 43 years in the light of the case records running into thousands. The institute has worked in collaboration and consultation with medical and scientific men in India and elsewhere. Over 5000 cases of various diseases have been treated and clinical records maintained.
4. The institute has both indoor and outdoor facilities. The diseases treated successfully through Yoga by the institute are Asthma, Anaemia, Cardiac Diseases, Colitis, Debility, Diabetes, Gastric Diseases, Nervous Diseases, Psychic Disorders, Obesity, Rheumatism, etc.

44.15. Department of Yoga Therapy, Yoga Vidya Sangham, Trivandrum, says that ailments like asthma, high blood-pressure, diabetes, gas-trouble and other complaints of a psycho-somatic nature cannot be cured completely by medicine and where medicine fails, Yoga succeeds. The institute has been working in this direction for the last 20 years and the results have been very encouraging. It has suggested that—

- (a) To the industrial workers who spend the major portion of their time in polluted atmosphere and who get little freedom from the worries and toils of life, the practice of Yoga is a must. The workers who can afford to set apart one hour of his time every day preferably in the early hours of the day for the practice of breathing and Asanas can certainly rid himself of the toxic effects of the polluted air and other evil factors undermining his health.
- (b) Health resorts and facilities for imparting lessons in Yogic exercises can be selected provided the financial burden thereof is borne by the Government of India.

44.16. Yoga Training Centre, Anakkottil Street, Fort, Trivandrum, considers that :

"The Yoga course exercise could very quickly and completely restore to the normal functioning, de-ranged nerves whereby the mind also would have been upset. The entire glandular functioning in the system would return to

healthy normality through these rightly synthesised exercises".

44.17. All-India Nature Cure Federation, recommends that Yogic and other (corrective as also curative) exercise done for at least 15 minutes daily can remove (i) the tension over a particular limb or organs during their normal work and (ii) the secretion of essential hormones from ductless glands to help healthy development of the body as well as normal recipients of the mind.

General Impressions of Visits to Yoga Institutions/ Ashramas

44.18. During the limited time at the disposal of the Committee, it was difficult for the Committee to visit a sizeable number of institutions which responded to our letter. Visits were, therefore, paid by the Chairman to some of the important Yoga Centres viz., Kaivalyadham, Ishwardas Chunnilal Yogic Health Centre, Bombay, Yoga Institute, Santa Cruz, Bombay and Kaivalyadham Shreeman Madhav Yoga Madhav Samiti, Lonavala, Poona.

44.19. Kaivalyadham Ishwardas Chunnilal Yogic Health Centre, Bombay, had about 600 persons on its rolls many of whom were getting themselves treated for chronic diseases like Asthma etc. The Centre was also treating a number of persons suffering from respiratory, alimentary circulatory Genito-urinary, psychic and nervous disorders. The Centre claimed, and so did some of the patients, that lot of improvement had taken place in the condition of a large number of patients who sought admission at the Centre.

44.20. The Yoga Institute, Santa Cruz, Bombay, has been in existence for about 50 years and carries on research on an extensive scale on the efficacy of Yogic exercises on physical and mental health problems. The institute keeps a regular record of the results of experiments of Yoga and general health. The publication of these records, according to the institution, would have thrown considerable light on the useful role that Yogic exercises have been playing in curing various diseases. The results of the research could not, however, be published for want of funds. The institution renders services in the field of imparting instructions on Yoga in several colleges and secondary schools in Bombay.

44.21. At the time of visit to Kaivalyadham Shreeman Madhav Yoga Madhav Samiti (Scientific Research Department and Yogic Hospital) Lonavla, Poona, the patients from various foreign countries were also undergoing treatment of various diseases through Yogic exercises. The patients stated that the exercises had done considerable improvement in their physical and mental health since their arrival in the institute. It has undertaken the editing of 'Encyclopaedia, Yogic concordance and Dictionary' in its Philosophic Literary Research Department. It also gives indoor and outdoor yogic treatment for functional disorders in its yogic hospital. The Institute's Scientific Research Department, has set up a laboratory with sections in the respiratory Kymographic and Biochemical studies and X-ray section.

Findings of the Report of the Committee on Evaluation of Therapeutical claims of Yoga Practices

44.22. The Government of India and the Ministry of Education appointed a Committee in

1958 to make an on-the-spot study of the working of a particular Yoga Ashram and to make recommendations in respect of the proposals put forward by that Ashram for the expansion and development of its activities. The Committee, *inter alia* recommended that "elaborate claims are being made regarding the therapeutical values of Yogic practices. Government would do well to appoint a Committee of medical experts to study this so that benefits which may be observed can be given wider publicity and utilised in greater measures. If, on the other hand, the claims are proved not to be valid the public must be made known of the position". This recommendation of the Committee was accepted by the Government of India, and another Committee was appointed to go into the claims of the Yogic institutions. The Committee decided that in order to assess the benefits of the Yoga to any man it would be necessary to study the therapeutical and preventive aspects of Yoga not in isolation but as aspects of system seeking to achieve profound changes in the body, mind and in the nature of man. It came to the conclusion that "inspite of the fact that the Committee has not come across any definite scientific evidence for such claims on Yoga, as patients treated with Yogic Therapy have not been properly assessed previously, the Committee, basing its views on published works as well as certain observations carried out on Yoga beneficiaries feels that Yogic practices, if done on proper lines, may help those individuals who suffer from diseases with pre-dominant psychosomatic disturbance. It is, therefore, very essential that conditions be created and facilities provided for, at some of Centres, for a scientific evaluation and assessment of the effect of Yogic exercises. This will involve the setting up of modern medical units, with facilities for library investigations, at those Centres where a large number of individuals suffering from various diseases are being treated by Yogic practices". It further stated that "Although the Committee has mainly been concerned with the study that therapeutic uses of Yoga and has based its recommendations primarily towards that end, it also is of the opinion that Yogic exercises may play an important role in the prevention of disease and maintenance of positive health. It, therefore, recommends that the medical units created at the various yogic centres for studying the therapeutic claims of yoga should also direct their attention to the study of prevention of diseases by Yogic exercises. This will have to be studied on a long range basis".

Yoga in Foreign Countries

44.23. The preventive values of Yoga are also being recognised beyond the Frontiers of India. The value of Yoga breathing exercises evolved by Yoga Institute Santa Cruz, Bombay in 1918, it is claimed, has been widely recommended as the best cure for asthma by the Asthma Research Council of Great Britain since 1935¹. The emphasis, after careful clinical experiments, on the merits of yoga treatment for chronic constipation was successfully demonstrated at the Berlin University Charity clinic in 1934². The admission that the scientific claims

of yoga methods are well founded was made in 1938 after personal and critical investigations at the Institute by the Medicine-General deputed by the French Government³. The scientists of UNESCO deputed by the Harvard University in 1953 were, it is reported more than satisfied with their psycho-somatic experiments in the Yoga Institute at Santa Cruz, Bombay. They felt that some of the Yoga practices were conducive to creative futurism⁴. The various medical delegations from the USSR, which also visited the Institute in 1955-56, were impressed about the great scientific potentialities of applied Yoga⁵. Besides these, a large number of foreign Institutes and foreigners have been acknowledging with gratification the beneficial affects of Yoga on their physical and mental health. The above examples are only illustrative and not exhaustive. The interest of foreigners in the efficacy of Yoga is thus increasing at a rapid pace. The fact that even more medically advanced countries have accepted the utility of Yoga should leave us in no doubt about the potentialities of this system both in preventive and curative aspects of medical and health care and the efficacy of this system.

Efforts by Government to Popularise Yoga

44.24. The Government of India are also recognising the fact that Yoga has a place in our medical and health care programmes. Grants-in-aid have been given to few selected institutions for the development of Yoga and for research to be conducted on Yogic practices. Yogic exercises were also included, *inter alia*, in the model syllabi of physical education recommended by the Central Advisory Board of Physical Education and Recreation for students in their National Plan for Physical Education and Recreation and is being practised widely in educational institutions.

Efficacy of Yoga as a Preventive Measure

44.25. Any regulated physical exercise of muscle serve to revitalise the body. But it will be seen from above claims that Yoga is not an ordinary exercise but a regular system scientifically devised and meticulously designed to promote the total well being of the individuals practising it. It is said that Yoga is a complete practical system of self-culture which aims at inter-related harmonious development of body, mind and dormant psychic potencies. It is a science, philosophy and a way of life. It is said to be intensely rational without anything being dubious or mystic about it. Its technique is applicable to all types of persons irrespective of his or her stage in life. Its study and practice creates universal effect in its application both on body and mind. The institution of Yoga is also stated to be based on the principle that possession of good health is the man's natural privilege. It emphasises that it is within our powers to conserve and increase the health of our body and mind. It explains that no curative system is fully successful or complete unless it includes a system of maintaining health and eliminating the

1. 'Yoga Hygiene simplified' by Yoga Institute, Bombay—page 10.

2. *Ibid.*—page 11.

3. *Ibid.*—page 11.

4. *Ibid.*—page 11.

5. *Ibid.*—page 11.

causes of diseases. The personal hygiene in Yoga implies (i) removal of disease (ii) purification of all external and internal organs of the body (iii) maintenance of highest physical efficiency through good health and (iv) auto-immunisation. Its claim that the technique of Physical Education and Therapy endows exuberant health, capacity, strength, spinal flexion, agility and longevity of life with characteristic low energy expenditure. Various exercises and processes of Yoga aim at nervous control and coordination rather than muscular physique and strength; and as such urge towards poise and control of the body and the mind, through non-violent and nonfatiguing type of physical education. These exercises also include scrupulous care of the whole body which means that every part of the body even to the smallest ductless gland receives proper attention daily and lead to the restoration, maintenance and development of physical soundness. Yoga is, therefore, not only preventive system but is also a supplemental effort to curative treatment.

Our Views

44.26. We have given serious consideration to the views expressed and to the observations made on Yoga. There is no denying the fact that any physical exercise creates in the human body a vitality which strengthens the system against the on-slaught of many a disease.

44.27. No serious thought seems to have been given to the adoption of Yoga as an integral part of medical and health care of industrial workers. Workers have to work in environments of dust, fumes, humidity etc., which act as irritants in industries such as mining, cement, asbestos, textiles, chemicals, paints, metallurgy etc. These it is said give rise to various chronic respiratory and alimentary disorders. Deficiencies in nutrition and unhygienic living conditions also affect the health of workers adversely. We are of the view that even if a fair percentage of the claims that various institutes engaged in Yogic Therapy have made is correct, it is worth-while that Yoga Training Centres should be opened as part of a systematic plan for the working class. We, therefore, recommend that :—

- (i) the Government of India in consultation with the public sector undertakings, leading employers' and workers' organisations, should evolve a plan for encouragement of Yoga on a Pilot basis to start with in certain selected centres in the country ;
- (ii) Financial assistance should be given from plan allocations by the labour Departments of States/Union Territories to such employers and workers organisations as are willing to organise these classes ;
- (iii) The Ministry of Health and Family Planning have already set up a Yoga Research Advisory Committee with a view to popularising Yoga. This Committee is engaged in research programme, training of experts for imparting yoga education, etc. We recommend that in all States such bodies may be set up. In the Ministry of Health and Family Planning a special cell should

be set up to coordinate the activities of the States Bodies and provide necessary guidance as well as financial assistance on the lines of other medical institutions such as Ayurvedic, Unani, Homeopathy etc.

- (iv) It is further recommended that this cell in the Ministry of Health and Family Planning should also undertake the work relating to collection of information and coordination of the existing research being done in the field of yoga by various institutions, organisations etc. and also lay down suitable syllabus for yogic education.

NATURE CURE

Introduction

44.28. Supplementary to the practice of Yoga on the curative side is the Nature Cure. Nature Cure has many ramifications and can be interpreted in a number of ways depending upon the convenience of personal equation of mind of the person/institution or body that interprets it. *Prima facie*, it would tend to convey the system of treatment which is based on natural principles. It is stated that Nature has always equipped human body with a rich quantum of such potentials as can ward-off any attack of human tissues by any foreign agents and human body refuses to tolerate any foreign matter in it which has a tendency to do damage to any part of the body.

Expert Views on Nature Cure

44.29. Some protagonists of nature cure maintain that the modern medical science looks to externals for the cause of disease, instead of the factors at work within the body of the individual concerned. Consequently, "despite its skill and honesty of purpose, the medical profession continues to add error to error, and pile up an enormity upon enormity, in attempting to "cure" disease by means of the administration of poisonous drugs and vaccines, and the very drastic employment of the surgeon's knife, thus adding to the disease bill of the nation, rather than subtracting from it".*

44.30. Nature Cure does not seem to condemn any system of therapeutics. But it claims that the body itself is the principle reservoir capable of combating diseases and disorders and overcoming harmful agents within and outside the body. It is thus, possible to maintain health at a high level of efficiency by adoption of healthy habits and avoidance of undesirable practices. Such measures will obviously reduce considerable expenditure on curative services.

Mahatma Gandhi on Nature Cure

44.31. Mahatma Gandhi was a great supporter of nature cure. He observed, "I believe that when the soul is sinless, the body which she inhabits is healthy too. That is to say, as the soul progresses towards freedom from sin, the body also tends to become immune from disease. The Nature Cure man does not 'sell a cure' to the patient. He teaches him the right way of living in his home, which would not only cure him of his particular ailment but also save him from falling ill in future. The ordinary doctor or vaidya is interested mostly in the study of disease. The Nature Curist is

interested more in the study of health. His real interest begins where that of the ordinary doctor ends; the eradication of the patient's ailment under Nature Cure marks only the beginning of a way of life in which there is no room for illness or disease. Nature cure is thus a way of life, not a course of 'treatment'. The science of natural therapeutics is based on a use of the same five elements, in the treatment of diseases, which constitute the human body. These are earth, water, ether, sunlight and air. Nature Cure is thus a thing which every-one can practice in the home."⁶

Views of some Important Institutions on Nature Cure

44.32. The response to our letter to the Nature Cure Institutions functioning in the country requesting them to give us their views as to the desirability and feasibility of extending nature cure system to industrial workers has been quite encouraging. It is relevant to mention the views of some of the leading Institutions in our Report.

All India Nature Cure Federation, New Delhi

44.33. With its long standing in the propagation of nature cure treatment, this institution stated that there are two aspects of the workers' problem of health and well being, one is preventive maintenance and the other is curative treatment. Both are inter-dependent as well as inter-connected. The Yogic exercises introduce the preventive elements and nature cure supplements the gains that the body derives from the Yogic exercises. The laws and ways for well-being and keeping sound health are the same for driving away or removing diseases. Training camps or classes of short duration at suitably frequent intervals arrangements of lectures, setting up of library and reading rooms as well as practical demonstrations in nature cure should be organised to educate the workers and their family members on personal hygiene and the need for having proper care for diet and dietetics. Nursing homes and nature cure centres may be opened at least in or near important or major labour colonies, with a view to providing them neat and clean beds during acute and/or chronic illness which can be better cured through naturopathic diet and treatment. Hospitalisation for health's sake, and not for the perpetuation or continuance of the disease is in fact the main problem with those people who do not have proper space and arrangements in their tiny homes or hutments. Some of these health centres can be developed as coaching or training centres to prepare volunteers or workers who might move around in labour circles, giving them timely instructions about prevention as well as cure of diseases. In the indoor hospitals or nursing homes, the workers can be made to learn and practice the various useful methods of fasting, all juice diets, mixed or balanced diets, etc.

Bharatiya Prakritik Vidyapith & Hospital, Calcutta

44.34. Nature cure is an applied science that enables us to help nature, directly or indirectly, in various processes taking place in human organism. It not only prevents and cures the diseases, but as a matter of fact enables the individual to live effectively so that he can enjoy a personally satisfying and socially useful life. The basic objective of the Nature Cure is to stimulate effective behaviour, to encourage better all round living, to assist

people with their life adjustment problems and to supply them with adequate and basic scientific health information. The greatest service that the nature cure system does is to educate the individual in maintenance of body and its protection through good nutrition, balanced living practice of regular health habits, protection against the diseases, accidents and drugs, and warning against the influence of wrong emotions and wrong living habits, etc. Treatment of nature cure may be divided as treatment of elimination, regeneration and strengthening. It is a fight against lower vitality, wrong living habits and encouragement to practice fundamentals of better and healthier living.

Nature Cure Hospital, Hyderabad

44.35. This Institution has been in existence for 23 years and claims to have cured many persons. They have formulated a five principles plan for preservation of health and for leading a natural life including regulated meals, water, exercise prayer and fasting once a week.

The Delhi Naturopathic Charitable Hospital

44.36. Nature cure has been successful in curing diseases where other systems of medicine, are helpless. Diabetes, High blood Pressure, Heart and Kidney disease, Asthma, Arthritis, Leucoderma, Appendicitis, Hernia, Gall Stone, Obesity, Constipation, Colitis and many other diseases have been successfully treated under naturopathic treatment. It is essential to popularise nature cure. Centres should be set up at different places with trained personnel to give this treatment to industrial workers.

Methods of Treatment of Nature Cure

44.37. Various methods of nature cure which have been tried and proved successful in preventing diseases are quite handy and can be adopted without any serious handicaps either by the practitioners or by the patients themselves. The Government of India set up a Nature Cure Advisory Committee in the Ministry of Health to conduct research on the methods which can be adopted by common man as a part of nature cure treatment. Some of the methods recommended by the Committee are :

1. Fasting.
2. Proper food and regulated diet.
3. Hydro-Therapy.
4. Psycho-Therapy.
5. Electro-Therapy.
6. Deep breathing exercise and correct postures.
7. Rest, recreation, relaxation and sleep.
8. Sanitation and hygiene.
9. Moral code.

44.38. This Advisory Committee has in a publication tried to remove many of the misgivings connected with the methods of treatment referred to above. It says that among all the measures employed in course of natural treatment the most

important preventive as well as curative method is fasting. But fasting is not starving as is generally understood to be. It is regulating diet to give rest to various parts of the body engaged in the digestion of food. The emphasis on proper food and regulated diet is more towards a clean and balanced diet, a diet which is possibly as free from germination of diseases as possible. Hydro-Therapy is that branch of nature cure which treats disease by the application of water in various forms and temperatures. It is said water possesses four remarkable properties, all of which render it most valuable for healing purposes. Many people believe that the only use of water employed externally is for cleanliness. This is not true. No other therapeutic agents possesses so many admirable qualities as does water. The physiological effects of water are, therefore, very many which give relaxation to the body and have remarkable effect on improving and toning up of muscles and blood vessels. Psycho-therapy is an important element for the treatment to nature cure. The tendency has been to use the science of psychology merely as a means of correcting bodily ailments and mental errors. This is not all. Psychology should be employed more as an integrating factor than as an analytical factor. The right mental attitude is of great importance. Agreeable thoughts and pleasant emotions induce bodily conditions which favour health and efficiency. On the other hand, physical and mental fear, anger and worry induce morbid states and generate poisons which create disease.

44.39. Electro-therapy is a branch of Nature Cure treatment which uses electricity as curative agent. In order to intensify the effects of some remedies in Nature Cure the aid of electricity is enlisted. Massage is also done. It is a passive form of an exercise that softens and relaxes, hardened and congested parts. The system of Nature Cure also includes fresh air and sun-shine. Oxygen inhaled or air breathed is necessary for every function of the body. Man is an animal needing light and air but for ages he has carefully smothered himself in layers of dense clothing denying himself the life giving influence of air and light. This results in disease. Another important method of Nature Cure treatment is deep breathing exercises and correct posture. It is said that "breathing is life". Taking a deep breathe is like blowing on smouldering fire. The quality of the blood depends largely upon its proper oxygenation in the lungs. If breathing is not proper he lacks an oxygen. As regards exercise it has been rightly said that "life is movement, stagnation is death". Equally true is the importance of posture. The maintenance of correct bodily attitude of posture is scarcely less important than the development of the muscles by exercises. Correct coys and exercise go hand in hand.

44.40. Rest, recreation, relaxation and sleep, sanitation and hygiene are other important factors which are included in the code of Nature Cure. One cannot be constantly active. Everyone should learn how to relax physically and mentally. Because in relaxation the muscles work more efficiently and fatigue is completely relieved. Sleep, light, air, water and food are universally recognised as essentials of life. There is no hard and fast rule in the matter but rest, recreation, relaxation and sleep are essential ingredients of Nature Cure treatment. In sanitation and hygiene proper care of food, the manner and the environment in which it is produced is of extreme importance in the

preservation of health. Personal hygiene is a term used to denote physical care of body. The well-being of an individual is really the totality of the care of all the different organs individually and collectively, the necessary precautions and observance of general hygiene.

44.41. The components of Nature Cure mentioned in the preceding paragraphs bring out collectively and clearly what exactly is meant by Nature Cure and what are its methods of treatment. These are all common place things yet taken together collectively and used in according to systematic method, they form the hard-core of Nature Cure.

Nature Cure in Foreign Countries

44.42. A number of institutions of Naturopathic treatment exist in foreign countries. Life's nature cure resort at Champneys is one of the outstanding naturopathic clinics in England. Another institution, Seventh day Adventist Mission has several branches all over Europe and U.S.A. There are a number of institutions where medical, surgical and nature cure methods are used together. In Germany, the training in Naturopathy is given to medical graduate for specialisation. Some of the doctors in Germany after their training have taken over charge of spas, hydros and infirmaries run on medical and surgical lines. The number of physicians and authors who recommend the use of water and other natural remedies in preference to drug medicines is increasing everyday. In fact, Nature Cure, it is claimed, has had a remarkable rapid development since its inception many years ago in the United States of America.

44.43. Nature Cure methods are used extensively in USSR. This country has world famous resort Sochi and about 4 thousands mineral springs, and about 2 thousand lakes with the deposits of medicinal mud. Investigations are conducted constantly on various points of the country and new health resorts where nature cure methods are integrated with other systems of treatment are being established. In 1938, Soviet scientists elaborated a classification of medical muds. Special projects have been prepared for various health resort institutions, sanatoria, holiday houses, guest houses, mud dispensaries, sun bath, and air bath grounds, bathing houses, and curative beaches. Several medical specialists, claim that the Soviet specialists have evolved a new method for the application of what is known as matsesta baths; this wonder-working medicine from nature's "underground chemical laboratory" is now being taken by many people for whom it was contra-indicated only a short while ago. Thousands of visitors both from within USSR and from other countries visit Sochi almost every year and take advantage of the nature cure treatment. Sochi is said to be just one out of 500 other such resorts, where nature cure is given due predominance. Many regions of the Soviet Union possess remarkably Balneological properties including medical muds, mineral waters with a rather curative importance and the country has rightly given due importance to other application both in preventive as well as curative methods of medical and health planning.

Importance of Nature Cure in India

44.44. About 200 institutions on Nature Cure are reported to be in India. These institutions have claimed that they cure a large variety of diseases

to which the industrial workers are specially susceptible. It is not necessary that all the conventional methods of Nature Cure should be made applicable to industrial workers. Different methods exist in Nature Cure to suit the conditions and requirements of industrial workers, namely the treatment should be of short duration, should yield positive results, should be inexpensive and should also make a person free from disease and fit enough to return to his duty in the least possible time. The Government of India in the Ministry of Health and Family Planning as well as the Planning Commission have had under consideration various proposals for promoting research, inter alia, Nature Cure with a view to assimilating the results of such researches and investigations into the practice of scientific medicine. A special Nature Cure Advisory Committee was set up by the Government to advise them on the efficacy and possibility of adopting and extending Nature Cure and Yoga system of treatment. This Advisory Committee in its Report commended the Nature Cure methods for wider application as an integral part of the medical and health cure programme.

44.45. The Government of India have given grants totalling Rs. 61,500 and Rs. 784,557 during the Second and Third Five Year Plans respectively to Nature Cure institutions. A provision of Rs. 20 lacs has been made for the purpose in the Fourth Five Year Plan. The Government of India also assist the voluntary institutions on Nature Cure at Bhimavaram and Jaipur with grants-in-aid at the rate of Rs. 1,200 per students per annum. It is obvious that the Government would not have enhanced the quantum and area of grants if they had not been convinced by the utility and practicability of the system of Nature Cure as an effective part of medical and health care. The Advisory Committee on Nature Cure, referred to earlier in their Report to the Government suggested three methods of popularising Nature Cure. These are as follows :—

- (a) Popularisation of the concept of prevention of disease through Nature Cure. This could be achieved by propagating the benefits of the system in educational institutions ;
- (b) Making an elementary study of the system an integral part of social education programmes ;
- (c) Printing suitable literature on the system for the benefit of the general public.

44.46. This Advisory Committee also said that Nature Cure has a very important place in a programme for the improvement of health of the nation. It does have relation to the public health. By propagation of the knowledge and practice of the methods of Nature Cure, the incidence of illness can be reduced, the duration and difficulties of convalescence cut short, restoration of health after illness expedited, and thus the growing pressure on the existing hospitals and their curative facilities retrieved.

Naturopathy has a basic philosophy and practice of the cause and cure of disease. It operates only

in accord with natural laws ; but, while it exists as a distinct system of healing, its complimentary mission is to work in harmony with other systems as far as possible and this endeavour should also be recognised and pursued. In support of their conclusions the Advisory Committee also quoted Lord Dawson, once physician to the Royal Family of England, thus "What the patients want is regimen and re-education in methods of living and treatment ; it may be by diet, physiotherapy and relaxation, under controlled observation. Such treatment or education of the man and his tissues takes several weeks. We need a new type of institution distinct from hospital provision".⁷

Visits to some Important Nature Cure Centres by the Chairman

44.47. In order to have some idea of the correctness or otherwise of the claims made by the protagonists of Nature Cure and institutions run by them, the Chairman paid visits to a few of them. The institutions visited were :

1. Nisargopachar Ashram (Nature Cure Ashram) Uruli Kanchan (Poona).
2. Prakritik Chikitshalaya Kendra, Jashidih (Bihar) Nature Cure Institute, Jashidih.
3. Nature Cure Centre of Gandhi Smarak Nidhi, Punjab, Haryana & Himachal, Patti Kalyana (Karnal Distt.).

44.48. The first institute was founded by Mahatma Gandhi in the year 1946 where he himself treated a number of patients. It is a very well organised Centre, has its own hospital and a hostel for indoor patients. Many patients discussed their ailments with the Chairman and were fully impressed of the manner in which Nature Cure had helped them overcome their diseases. Some persons had come from Bombay and Poona to relieve themselves of the tension of city life and thus rejuvenate their mental and physical system. The second institute, is run by a Trust. It has many cottages and houses some of which were donated by the patients themselves after they had been cured. This institute caters to preventive side of the diseases but has also cured many heart and serious cases. The measures adopted are proper regulation of food (simple soups and raw vegetables, yoga exercise and formation of good habits). About 60 patients were under treatment on the day of the visit. The institute has also arrangements of steam bath and scientific massage for the needy patients. It was reported that except T.B. and Cancer patients, all other patients are admitted. Many of the patients related their experience to the Chairman. Drawn from various walks of life, they appeared to be convinced of the efficiency of nature cure treatment. The third institute situated about 40 miles away from Delhi was visited by the Chairman alongwith the Member Secretary. Many patients of various diseases namely T.B., High Blood-pressure, Asthma, Stomach troubles etc. narrated their experience to the party and praised the commendable work which the institution was doing in curing people of even for chronic ailments. The institute is self-sufficient and has combined both the preventive and curative aspects of Yoga and Nature Cure. It was claimed at the institute that nature cure and Yoga have an ideal combination

7. Ministry of Health's brochure "Some proved methods of Nature Cure on prevention of diseases" p. 20.

for prevention and cure of diseases as well as for improvement of physical health and mental outlook.

Our View

44.49. Nature Cure is not a new system of medical and health care in India. It has been practised since ages in one form or the other. We feel that the interest in and practice of nature cure should be extended on sound and scientific footings. We, therefore, recommend that Nature Cure should be widely propagated and its methods be administered for the benefit of the general population specially of the working class in certain selected centres all over the country with plan funds.

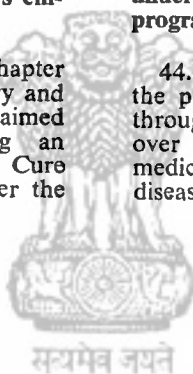
44.50. There are a large number of areas which are not covered either by the Employees' State Insurance Corporation or by the health care activities of the Mining Funds. Elsewhere in this Report we have suggested the creation of a General Miners' Welfare Fund to undertake similar activities for worker employed in all Mining establishments as are being undertaken at present by the Coal Mines Labour Welfare Fund. We recommend that right from the beginning Nature Cure should be given active and effective importance by this Fund to popularise it amongst the workers employed in mining establishments.

44.51. We have stated earlier in this chapter that Yoga and Nature Cure are complimentary and supplementary to each other. It has been claimed that whereas Yogic exercises help in reviving an in-built tendency against disease, Nature Cure helps in the restoration of normalcy whenever the

body becomes abnormal due to certain extraneous factors. One is not complete without the other. In almost all the institutes of Nature Cure, Yoga is an integral part. We, therefore, recommend that effective steps should be taken to integrate Yoga and Nature Cure system of treatment with the medical and health care programme of all industrial establishments as well as of the primary health centres in rural areas for the benefit of rural and agricultural labour as well. We further recommend that centres of Nature Cure and Yoga should also be established at various Sanatoria and health resorts that have been already opened in the country and that may also be opened in future.

44.52. We, also, feel that speedy success would be achieved if separate wings are opened in hospitals located at places of concentration of industrial workers so that the interest in the workers is created and stimulated in the adoption of Nature Cure methods with the same faith as they have in the modern system of medicines. We, therefore, recommended that the Ministry of Health, Family planning, Works, Housing and Urban Development should lay down broad guidelines for Nature Cure in the curricula of medical institutes; create a special cell for guiding and coordinating research work in Nature Cure all over the country and give financial and other support to such institutions as undertake to provide medical and health care programme through Yoga and Nature Cure.

44.53. We hope that if due emphasis is given to the preventive side of medical and health care through Yoga and Nature Cure, we shall be able, over a number of years not only in reducing the medical expenditure but also the incidence of diseases to a large extent.



CHAPTER XLV

PROBLEMS OF HANDICAPPED AND DISABLED WORKERS

Definition :

45.1. The term 'physically handicapped' is difficult to define, particularly in the context of the terms of reference of the Committee on Labour Welfare. In common parlance, the term 'physically handicapped' includes the blind, the partially sighted, the deaf, the hard-of-hearing, the crippled, the cardiacs, the epileptics, the tubercular, the diabetics and the like. According to the Disabled Persons (Employment) Act, 1944 of England and Wales, "the disabled person is a person who, on account of injury, disease or congenital deformity, is substantially handicapped in getting or keeping suitable employment of work". This definition embraces all handicapped and disabled persons whether due to industrial accidents, occupational diseases or natural causes like illness etc. They deserve consideration by the society, and a reference, therefore, has been made about the problem. The main emphasis has been laid on such persons who have become so on account of industrial hazards.

Need to study the problem of welfare for Handicapped and disabled workers :

45.2. Industrial accidents are part and parcel of

industrial process itself. Accidents cause misery not only to a worker but to his dependents also. Despite the safety measures adopted in factory establishments and mines, the available statistics show that the number of workers affected by accidents is adequately large. It is, therefore, necessary to ensure safe working conditions within the factories and mines. This can be achieved by creating safety consciousness among the workers and by providing them suitable guards against hazardous processes.

45.3. The Employees' State Insurance Act, 1948, and Workmen's Compensation Act, 1923, provide cash benefits to handicapped and disabled workers. These benefits are not sufficient for the worker and his dependents in the event of any bodily disablement. The Committee is therefore concerned with the special welfare need for this class of workers.

Extent of the problem :

45.4. Unfortunately, no reliable statistics are available of the handicapped persons in the country. The table given below indicates the extent of non-fatal injuries in factories between 1956 to 1966*.

Year	Number	Rate per 1,000 workers
1956	128,177	44.47
1957	131,149	42.66
1958	136,031	43.88
1959	141,675	44.23
1960	144,549	42.92
1961	159,222	45.53
1962	168,755	46.26
1963	184,013	47.67
1964	188,969	46.96
1965	202,236	49.11
1966	208,253	57.18

This table does not include the number of partial disablements as a result of accidents. In absolute figures the number of persons injured in 1956 was 1,28,177. This rose to 208,253 in 1966. In addition to these unfortunate cases, there are disabled persons by birth, namely blind, deaf and dumb, mentally retarded or otherwise physically handicapped whose number is also very high.

45.5. At present, some measures like training and rehabilitation programmes for physically handi-

capped persons like blind, dumb and deaf etc., have already been initiated as social welfare measures by the various State Governments. Special employment exchanges, to meet the needs of the handicapped persons, have been set up. Workshops and coaching institutes, for providing training in crafts, music, etc., have also been opened. Some of the voluntary agencies also run small workshop or training-cum-production centres. However, all these efforts have been limited.

¹. Page 5 of 'Towards a Fuller Life'—Deptt. of Social Welfare, Government of India.

* Indian Labour Statistics, 1969—Labour Bureau, Simla—Page 157, Table 7.1(b).

45.6. According to the Department of Social Welfare, at the end of the Third Five Year Plan, there were 127 schools for the blind, 73 educational establishments for deaf, 23 institutions for orthopaedically handicapped persons and 51 schools for mentally retarded people. Some of these schools also provide free boarding, lodging, scholarship and tuition fee to trainees. The practice of providing stipend and making cash payments to the handicapped persons, during the period of their training, is generally being followed. We learn that there is a proposal to set up two rehabilitation centres—one at Bombay and the other at Hyderabad—to equip handicapped persons for meaningful employment. Under these schemes, new programmes for psychological and sociological adjustment, counselling services as well as training and job placement will be offered.

45.7. The quantum of such assistance, however, varies from institution to institution. The majority of the institutions are run by voluntary and social agencies and are aided by the central agencies like the Central Social Welfare Board and the Department of Social Welfare. The respective State Governments are also giving financial assistance to these institutions through grants etc., wherever considered necessary.

45.8. The State Governments and other parties which have replied to the questionnaire issued by the Committee relating to disabled and handicapped persons, have emphasised the need for training and rehabilitation of handicapped persons. Reservation of posts in Government, Semi-Government factories—public and private—and other establishments has also been suggested by the responding parties. Some of the parties have stated that legislation for rehabilitation of such persons on the lines of an Act in U.K.¹ might be enacted in this country.

45.9. The parties also feel that one of the characteristics of the modern industrial processes is the repetitive operations. It should, therefore, not be difficult to train the handicapped persons in some such trades. More vocational training centres, workshops, coaching institutes, should be set up for such persons and adequate financial assistance be ensured by the Government. Arrangements for marketing of the finished goods, setting up of special co-operatives and employment exchanges have also been suggested by some parties.

Need for Rehabilitation Programme :

45.10. The Workmen's Compensation Act and the Employees' State Insurance Act give compensation for fatal and non-fatal accidents. The Acts have no other scheme for rehabilitation of those persons who are disabled as a result of accidents. There is no other law also which comes to the rescue of these disabled persons for their rehabilitation. The Coal Mines Welfare Fund, however, provides for some rehabilitation only in the shape of subsistence allowance for a worker for temporary disablement due to injury caused by the colliery accidents or sickness either in lump sum or a fixed allowance of Rs. 25 per month for a period of 6 months. But, this too does not go far. It is, therefore, necessary that there should be well thought of comprehensive training schemes and proper placement of the disabled persons.

Organisation of Training Programmes :

45.11. As the employment position in the country is already very bad, the handicapped persons should be properly trained and assisted to enable them to obtain gainful employment. Some efforts have already been made in this direction by the Central and State Governments. But a good deal remains to be done. The first and the foremost step is to have a proper machinery for collection of statistics of the handicapped persons as a result of industrial accidents or occupational diseases. The Committee recommends that such a Survey should be conducted periodically by the Central Government. It is only then that there could be a scientific assessment of the requirements of training institutions for equipping physically handicapped workers for proper placement in life. We, therefore, recommend that for enabling these handicapped and disabled persons to be absorbed in various jobs, it is necessary that a network of training institutes and placement service for trained handicapped personnel should be provided by the State Governments. Adequate grants-in-aid should be given to such institutes/societies as may run vocational training courses for handicapped persons.

Survey of suitable jobs :

45.12 There are three main forms of employment open to handicapped and disabled workers. These are (i) home work; (ii) sheltered employment; and (iii) open employment. The Government and the Social Organisations are already making some efforts in the direction of providing handicapped persons with work in their own homes. Raw-materials are provided to such workers at their residences and the Social Organisations arrange for the sale of their finished products. Even suitable technical assistance is also given to them. But this touches only a fringe of the problem. There is, therefore, a need for securing more avenues employment for these persons in open market and also for starting institutions which may give sheltered employment to such persons.

45.13. For proper placement and absorption of handicapped and disabled persons, State Governments have already initiated certain steps and made surveys of such jobs in which handicapped and disabled persons can be suitably employed. As a result of these efforts, the handicapped persons are already being rehabilitated to some extent. While, we fully appreciate the efforts being made in the matter by appropriate authorities we reiterate that this practice should be intensively followed by the State Governments and employers may be persuaded to accept more and more disabled persons keeping in view the jobs that they can do.

45.14. In order that the extent of avenues available for proper placement of the disabled and handicapped persons, it is necessary to know first the jobs in which these persons can be fitted. Efforts in this direction have also been made already by some State Governments and social organisations, but these are more in the nature of persuading the employers to give suitable jobs to physically handicapped persons rather than conducting any survey and identifying as to what kinds of jobs are available which can gainfully employ the handicapped personnel. In our opinion, the Government of India and the various State Governments should

¹ U. K. have enacted a legislation known as 'The Disabled Persons Employment Act, 1944,' with a view to ensuring proper training and placement of handicapped persons under the Act.

conduct survey of the existing plants/factories/mines/commercial firms etc. and identify jobs which may be performed by handicapped and disabled workers. On the basis of the survey and scientific evaluation, a list of operations that can be performed by handicapped workers, should be given wide publicity for the guidance of employers.

45.15. The above recommendation in our opinion should go a long way in throwing considerable light on the type of jobs that the handicapped personnel can perform. This will also enable the Government to decide as to whether the existing training institutions are sufficient or not and whether the type of training that they impart actually meets the requirements of job placement of these workers on a national level. Besides, the avenues in the open market, there is yet another important field which can provide a very healthy, sound and regular base for the gainful employment of disabled and physically handicapped workers. This can be done by opening sheltered workshops. This means placements of handicapped persons on an equal footing with such workers who do not suffer from any disability. These sheltered workshops provide employment as well as training and ultimately can pave way for the absorption of disabled workers in the open market. This is a responsibility on the society as a whole. Initiative for opening such kind of sheltered workshops can come only from the Central Government as also social organisations which are financially sound and are well organised. As a matter of fact, the opening of such shops is becoming increasingly necessary in view of the greater use of sophisticated machinery and poisonous materials in the industry. We, therefore, recommend that for the exclusive

benefit of handicapped persons, sheltered workshops should be set up at or near the important industrial centres of the country. Facilities for training of handicapped persons at these centres should be provided. The disabled persons should be ensured minimum wages.

45.16. In the replies received by the Committee from some of the parties and also during the course of our observation visits, to some of the industrial* units, it has been stressed that given proper training, mental aptitude and social education, the physically handicapped personnel have, wherever they are employed, been generally giving the same output, if not more, as a normal worker placed on those jobs, would be giving. The list given in the footnote is only illustrative and not exhaustive. There may be many more establishments in the country which have already initiated steps to treat physically handicapped persons at par with the normal workers at least for the jobs which the physically handicapped workers can handle. We earnestly hope that the recommendations that we have given in the preceding paragraphs would go a long way in ameliorating the lot of physically disabled and handicapped workers.

45.17. Accidents which render workers physically disabled or handicapped, are a part of industrial activity and production of wealth. It is time that the society which benefits from the production of wealth and economic activity should take care of the unfortunate victims of complicated and fast processes of production. We are confident that besides the State, social and philanthropic organisations would also play an increasingly greater role in training and rehabilitation of these persons.

1. Indian Telephone Industries, Bangalore.
2. T. I. Cycles of India Ltd., Madras.
3. The Metal Box Co. of India Ltd., Madras.
4. Greaves Cotton Co. Ltd., Bombay.
5. M/s. M. P. Mehta, Bombay.
6. Kine Engineers, Bombay.
7. Sheriff's Office, Bombay.
8. Assistant Collector Customs, Bombay.
9. Model School For Blind Children, Dehradun.

CHAPTER XLVI

SUMMARY OF RECOMMENDATIONS AND CONCLUSIONS

PART I

CHAPTER II

CONCEPT AND SCOPE OF LABOUR WELFARE

1. The term 'Labour Welfare' in the context of social and economic conditions obtainable in our country should include such services, facilities and amenities as adequate canteens, rest and recreation facilities, sanitary and medical facilities, arrangements for travel to and from work and for the accommodation of workers employed at a distance from their homes, and such other services, amenities and facilities including social security measures as contribute to improve the conditions under which workers are employed.

(Para 2.32)

CHAPTER IV

MINIMUM WELFARE AMENITIES

2. Labour Welfare introduces the extra dimension to industrial relations which even a satisfactory wage alone cannot provide. It expresses the human interest an enlightened employer has in the well-being and contentment of the people who work for him.

(Para 4.1)

3. The minimum of welfare amenities within the workplace has been laid down already by the existing legislations namely, the Factories Act, 1948, the Plantations Labour Act, 1951 and the Mines Act, 1952.

(Para 4.4)

4. To lay down a basic minimum of welfare amenities would be an ideal for all the industries. If, however, the economic position or nature of organisation of a unit is such that it cannot provide these facilities exemptions can be granted to that unit for a specified period of time after the inspection authorities have verified and are satisfied with the prevailing economic condition of the industry.

(Para 4.19)

PART II

MANUFACTURING INDUSTRIES

CHAPTER V

HEALTH AND MEDICAL FACILITIES

5. The statutory facilities should be provided in accordance with the standards laid down under the Factories Act, 1948 and also be enforced strictly. In case of non-compliance with the provision of such facilities deterrent punishment should be imposed on defaulters.

(Para 5.31)

6. Maintenance of a first-aid box for every factory employing 150 workers is a minimum 'must' which cannot be allowed to be ignored by any occupier of a factory establishment. This provision should be enforced strictly and sufficient number of personnel be trained in first aid in all the establishments in consultation and co-operation with the respective authorities and the trade unions.

(Para 5.32)

7. State Governments should be empowered to prescribe the maintenance of an ambulance room even for establishments employing less than 500 workers where the nature of work is hazardous, in the entire working period especially in the case of capital intensive industries.

(Para 5.34)

8. The functioning of the Employees' State Insurance Scheme be streamlined and improved upon and the basic recommendations of the Employees' State Insurance Review Committee be implemented expeditiously.

(Para 5.46)

9. The position regarding the conditions of work of the medical staff would considerably improve if the Employees' State Insurance Corporation sets up its own regular cadre of medical personnel. Once a special cadre comes into being the officers of that cadre can get necessary orientation and training.

(Para 5.47)

10. The Employees' State Insurance Scheme should provide full medical care to insured workers. The medical care should be further strengthened by health care expeditiously as recommended by the Employees' State Insurance Review Committee.

(Para 5.48)

11. In order to make Employees' State Insurance Scheme function more effectively, it is necessary that local and regional committees start functioning urgently wherever they are not already functioning.

(Para 5.49)

12. As a matter of encouragement, if not otherwise, such employers as give better medical amenities and whose workers are satisfied with those amenities should be given appropriate rebate in their contribution to Employees' State Insurance Corporation.

(Para 5.57)

13. In the case of smaller units, medical facilities should be provided on joint basis by a group of employers in scattered areas. The institutions like industrial co-operatives, industrial estates can play an important role in providing medical facilities to the workers by a joint drive.

(Para 5.58)

14. Other systems of medicine, namely, ayurvedic, siddha, unani and homeopathy should be popularised by setting up dispensaries run on these systems in areas of concentration of industrial workers. This should be of specific interest to small scale factory establishments clustered over a contiguous area.

(Para 5.60)

15. Urgent and effective steps should be taken by the Central and State Governments for proper

identification of occupational diseases in each industry and workers should be examined periodically.

(Para 5.70)

16. The Central Government may with the assistance and co-operation of state governments, public sector undertakings, central employers' and workers' organisations and autonomous corporations like the Employees' State Insurance Corporation, and the Life Insurance Corporation, should take initiative for formulating a scheme for convalescent homes and sanatoria, etc. for workers.

(Para 5.82)

CHAPTER VI CANTEENS

17. Exemptions from statutory compliance of canteen facility should not be conferred or granted as a matter of routine and should be given for a specified period only say, for a year wherever absolutely necessary.

(Para 6.43)

18. State Governments may amend their rules so as to ensure that the facility of canteen is provided in the factories which are required by law to provide it with the least possible delay. The need for the issue of formal notification by the State Government may be dispensed with.

(Para 6.44)

19. The managements/employers should provide canteen facility even in establishments employing less than the prescribed limit of workers, if a request is made by the workers and they agree to run the canteen on cooperative basis.

(Para 6.45)

20. Mobile canteen facility should be made available, to the workers engaged in different jobs, in the distant and interior areas, by the employers/managements.

(Para 6.46)

21. State Governments should have adequate arrangements for reviewing the functioning of the canteens by the State machinery at regular intervals, say, at least four times during a year, to ensure effective implementation of the provisions. Both managements and the workers' organisations should take active and effective interest in the running of the canteens. Tripartite bodies should be constituted to ensure that the canteens are run properly and are popular with the workers.

(Para 6.47)

22. The canteens should preferably be run by workers on cooperative lines and employers should give encouragement to the workers for this purpose. To avoid delays in the registration etc., of the cooperative canteens, the State Governments should not only complete the connected formalities as early as possible but also encourage the formation of such like cooperatives.

(Para 6.48)

23. It is necessary that the spirit behind the provision of canteens be borne in mind by the employers. They should take due interest in providing eatables of requisite standards and nutri-

tive value to the workers employed in their establishments and should not take the provision of canteens as a routine statutory obligation, to be fulfilled somehow. The Central Government, on their part, should amend the concerned legislations empowering each State Government to make rules to meet the object of nutrition. The Rules may provide that a high level expert committee be set up in each State to lay down standards of nutrition for different categories of workers and also to ensure that these standards are maintained in the canteens.

(Para 6.49)

24. To provide credit facilities to workers in canteens, Payment of Wages Act, 1936 should be suitably amended so as to include deductions for credit to workers in respect of purchases made from canteens, permissible under the Act.

(Para 6.50)

25. The competent authority should be authorised to permit joint canteen service by small employers situated in the same area/industrial estates and, if necessary, amendments to the existing provisions of the Act should be made for setting up of joint canteens.

(Para 6.51)

CHAPTER VII CRECHES

26. It is most essential that the creches when first opened in the new industrial establishments should be well furnished and properly supervised by the trained personnel. It is also equally important that the standards prescribed in law in respect of creches should be strictly maintained and even if the number of children attending creches decreases, these standards should not be allowed to go down.

(Para 7.31)

27. The provision of fans in creches is essential and these should be provided invariably wherever they are not being provided now.

(Para 7.32)

28. A periodical review of the existing limits for provision of a creche is desirable and the State Governments may be empowered to suitably alter the limits for setting up of creches in industrial establishments, wherever the situation warrants such alterations, in the interest of the women workers employed in a particular unit.

(Para 7.36)

29. The facility of a creche should not be withdrawn by the employers even if the number of women employed in a particular industrial establishment fluctuates between 40-50 workers. The Factories Act should be so amended as to provide for a creche in an industrial establishment where either 40 women workers or 20 eligible children of working mothers are to avail of the creche facility irrespective of the number of working mothers.

(Para 7.37)

30. The smaller industrial establishments, situated in a contiguous compact area and employing 10 or more women workers, each should arrange for common creche facilities on joint basis. The expenses incurred on the provision and maintenance of these facilities should be divided proportionately on the basis of the number of women employed in each

participating unit. The administrative arrangements for the provision of creches may be entrusted to a statutory body having representatives from employers, workers and State Government officials, the representative of employers are to be selected on the basis of the number of women workers employed by each participating unit.

(Para 7.39)

31. The provision of nurseries/kindergarten classes in creches is essential for the proper upbringing and growth of children and they should form an integral part of the creche facilities. These elementary schooling facilities should be available to all the children belonging to the age group of 3 years and above attending the creches. Regarding the responsibility for financing this additional measure it has not been possible for the Committee to arrive at any unanimous decision. It is left to the State Governments and local bodies and employers to decide.

(Para 7.41)

32. With a view to meeting the appropriate needs of the children of the employed women workers the municipalities, local bodies and state governments should set up community creches near the residential areas or central places in big cities and towns so that the working mothers are able to utilise this amenity to the maximum possible extent. Creches should also be provided in the labour colonies specially for the benefit of such workers whose place of duty is far away from their residence.

(Para 7.44)

33. Wherever women are employed in factories through contractors suitable creche facilities should also be made available to the children of the employed mothers and the contractors should be made responsible to bear the cost for the provision of these facilities through the principal employers.

(Para 7.45)

CHAPTER VIII

HOUSING

34. The scope of the Subsidised Industrial Housing Scheme should be enlarged to cover the Government establishments which work as factories and whose workers are not covered by the definition of workmen under the Factories Act, 1948. Similarly the benefits of the above Scheme should also be extended to certain categories of workers (drivers, helpers, fire-fighting staff etc.) who are not at present covered under this Scheme but are governed by the Industrial Disputes Act and the Factories Act and whose duties are incidental to or connected with the manufacturing process or are subject to a manufacturing process. The factory workers of Government industrial undertakings which are run departmentally but do not have their own industrial housing scheme and are not liable to income-tax should also be benefited by the Scheme by allotting at least 2 to 5% of the total industrial houses for such workers.

(Para 8.20)

35. All persons defined as workers and drawing salary up to Rs. 500 per mensem as prescribed under the Industrial Disputes Act, 1947 should be made eligible to receive the benefits of Subsidised Industrial Housing Scheme. The State Housing

Boards should, however, pay due regard to the needs of the lower income group workers for whose benefit the scheme is primarily meant.

(Para 8.21)

36. The Industrial workers even after crossing the wage limit prescribed under the Industrial Disputes Act, (i.e. Rs. 500), should be allowed to retain their tenements for a maximum period of 6 months on payment of economic rent to enable them to find out alternative accommodation.

(Para 8.22)

37. The existing ceiling cost prescribed for construction of various types of houses under the Subsidised Industrial Housing Scheme should be revised wherever necessary keeping in view the rise in prices of land, building materials etc.

(Para 8.27)

38. A certain percentage of workers should also statutorily be provided with houses by industrial establishments other than plantations and mining industries. An all India enabling legislation should, therefore, be brought into being to give legal shape to this recommendation keeping, however, in view the nature and location of the industry.

(Para 8.33)

39. Employers may be given exemption or rebate from taxes for the amount spent on construction of houses for industrial workers.

(Para 8.35)

40. The States where the cooperative housing societies have not made sufficient headway should initiate necessary steps urgently to encourage the development of such cooperative housing societies amongst industrial workers and should provide suitable facilities to enable such societies to construct houses for their members.

(Para 8.36)

41. The minimum standards and specifications laid down in the Subsidised Industrial Housing Scheme in respect of the scale of accommodation for industrial workers should be strictly adhered to.

(Para 8.42)

42. Elementary civic facilities should be provided wherever industrial houses are provided and repairs should also be undertaken by the appropriate authorities concerned periodically.

(Para 8.43)

43. Legislation should be enacted to enable the employer to secure eviction of unauthorised Sub-Lettees.

(Para 8.44)

44. State Governments should exercise self-control in diverting the funds once allocated for houses to other heads and utilise the amount for construction of houses. Centre should also come forward with more financial assistance in cases where more funds for the construction of houses are sought for.

(Para 8.48)

45. State Governments should acquire land near and around industrial areas which after development should be made available at reasonable rates to

housing boards, workers housing cooperatives and industrial employers to build up housing colonies for industrial workers.

(Para 8.49)

46. Without setting up State Housing Boards it would not be possible to raise funds speedily to execute housing schemes and also look after the maintenance of the houses.

(Para 8.51)

47. Each State should have an autonomous Housing Board for construction and maintenance of houses. This Board should earmark a minimum of 20% of its finances for construction of houses exclusively for industrial workers.

(Para 8.52)

48. The employers should also come forward to advance loans to Statutory Housing Boards at reasonable rate of interest in order to augment the resources of these autonomous Boards for providing more housing facilities to the industrial workers.

(Para 8.53)

49. The Central Housing Board should be constituted without any further delay. The initial capital of a substantial amount to meet the needs of such a Board for the first few years should be provided by the Central Government out of its Plan funds.

(Para 8.54)

50. Life Insurance Corporation of India and the Central Provident Fund should also make substantial advances to Housing Boards for being spent exclusively for Subsidised Industrial Housing Scheme for Industrial workers. If this involves some amendments in the Life Insurance Corporation and the Provident Fund Acts, these should be brought about urgently keeping in view the necessity for such advances.

(Para 8.56)

51. Additional releases from small savings over the present 2/3rd released to the State Governments should be permitted to be utilised for augmenting the resources for the housing of industrial workers.

(Para 8.56)

52. In Mysore two Banks have set apart Rs. 50 lakhs each and the State Government have given a matching loan to evolve a housing fund. The other States should also examine the possibility of constituting such funds to provide suitable loan facilities to the parties who undertake construction of houses for industrial workers.

(Para 8.57)

53. For proper implementation of housing schemes for workers there is definitely a need for effective coordination to control all land development, town planning and house building activities at the State level.

(Para 8.59)

54. Considering the dimensions of the industrial housing problem and availability of resources it seems essential that sufficient attention is paid to the aspect of research in building techniques so that workers are provided with maximum comforts in least accommodation at the lowest cost.

(Para 8.60)

55. State Governments/Union Territories should encourage the Housing Boards or the cooperative house building societies to sell houses on 'no-profit-no-loss' basis or on hire-purchase system so that the investment in housing is not blocked for longer period, and the money thus realised could be further utilised for construction of more houses for the benefit of industrial workers.

(Para 8.61)

56. Necessary steps should be taken for the collection, compilation and publication of housing statistics on all India basis.

(Para 8.62)

57. Realising the difficulties of their workers, the employers would pay adequate attention to the provision of house rent allowance to such workers as are not allotted houses.

(Para 8.63)

CHAPTER IX RECREATIONAL FACILITIES

58. The need for providing recreational facilities on a regular and sustained basis to industrial workers including workers in plantations and mines as also to their families, cannot be denied. Some of the large scale establishments both in private and public sectors, are already spending considerable amount on providing recreational facilities to workers and their families. There is a need for every employer, including medium and small to pay adequate attention towards provision of some basic minimum recreational facilities for their workers.

(Para 9.17)

59. The capacity of the industry to pay for recreational amenities, especially in the case of small scale industries, has got to be taken into consideration. It is possible that even though the will to provide these amenities may be there, lack of capacity to pay may stand in the way. In such a situation, it is necessary for the State to intervene and lend a helping hand. This can either be done by suitable direct grants to the employers or by arranging recreational facilities for a group of small scale units. The cost of these amenities can be shared by the State and by the employers.

(Para 9.20)

60. It is necessary that the recreational centres are set up outside the place of work in working class localities and/or in industrial housing colonies. They should be well-equipped to attract sufficient number of workers.

(Para 9.23)

61. Instead of the recreational activities being undertaken by the Government departmentally, statutory bodies may be brought into being in all the States, which, besides non-statutory welfare amenities, should provide recreational amenities outside the factory premises through labour welfare centres. The Board should be assured of adequate funds to discharge their duties effectively, as otherwise the very purpose of expecting better results from the welfare centres run by these Boards would be defeated.

(Para 9.24)

62. Active initiative should also come from the Trade Unions to provide necessary healthy diversion and also to re-orientate the working of the trade unions. Considerable success can be achieved

ed in popularising social and cultural activities amongst the workers if trade unions actively associate themselves with the managements in this.

(Para 9.25)

63. The need for laying down a blue print for recreation, which can provide healthy diversion to people engaged in difficult industrial vocations for a national basis cannot be over-emphasised. The Central Board of Workers' Education, the All India Council of Sports, Statutory Labour Welfare Boards and Allied Institutions should jointly form a Council under the aegis of the Ministries of Labour and Health and Family Planning at the centre to lay down a minimum standard of recreational/sports activities which could faithfully provide base for keeping the workers fit, active and healthy.

(Para 9.26)

64. Educational Tours should be properly organised on regular basis for workers of all industries. The Central and State Governments, employers and workers' organisations should all cooperate in promoting and organising these tours. The funds for these tours should be shared by the State, the employers and workers as well. Employers have been coming forward in the past and it is hoped that they will continue to do so more actively in future in promoting this idea and keeping the workers' share in this venture to the barest minimum possible.

(Para 9.30)

CHAPTER X TRANSPORT FACILITIES

65. The need for provision of adequate transport facilities to workers to enable them to reach their work place without loss of much time and without fatigue has been accepted. It is essential that whatever be the agency for provision of this facility the workers should not be unduly put to avoidable strains on account of inadequate provision of transport facilities.

(Para 10.11)

66. In all places of industrial concentration the State Governments and local authorities should streamline, increase and improve the functioning of the local transport services so as to give maximum possible assistance to industrial workers to reach their places of work in time.

(Para 10.15)

67. State Governments should provide special transport services to workers living in labour colonies built under the industrial housing scheme. The State Governments/Local Authorities should also supplement these efforts by increasing the frequency of buses as well as more buses should be pressed into service to meet the needs of workers at the opening and closing times of the factories.

(Para 10.16)

68. In such industrial undertakings where transport services are not provided and these industrial undertakings are located at more than 5 miles away from the place of residence of workers, some transport facilities should be provided by the employers in cooperation with the existing public transport services. Where no such transport services exist some conveyance allowance, as may be mutually agreed to between the employers and employees, be paid by the employers.

(Para 10.20)

69. In order to encourage workers to have their own conveyance, it is desirable that the employers

should advance loans liberally to the workers for the purchase of bicycles etc.

(Para 10.22)

70. The smaller industrial establishments located in contiguous areas should undertake to provide transport services on joint basis. The cost of providing these services can be shared by the participating establishments on the basis of number of workers employed. The administration of such facilities can be entrusted either to an autonomous body or a tripartite committee representing workers, employers and State officials. Such transport services can be started from some common points where the workers can assemble from different directions. This arrangement will especially suit the industrial estates which are set up at far away places from the urban settings.

(Para 10.27)

71. In industries where work is carried on round the clock or working shifts is a common practice, the transport facilities are not available at odd hours at night. It is, therefore, desirable that either the public transport should be made available to the workers or the industrial undertakings should make arrangements for the transportation of such workers who work in night shifts in consultation with workers' unions.

(Para 10.30)

72. In big cities specially the metropolitan cities like Bombay, Calcutta, Delhi and Madras, where industrial establishments have been established in large numbers, it is necessary that working hours in different units are staggered wherever it is feasible. Although the employers have generally stated that staggering is not possible, it may be necessary to stagger starting and closing hours in these cities in order to enable the local and State transport authorities to cope with the transport problem of workers. The staggering of hours may be done in such a manner as to enable the State Governments and local authorities to coincide their transport services with the working hours of the shifts.

(Para 10.35)

73. Allocation of larger outlays and improved administration are essential to achieve improvement in public transport facilities. Along with the improvement in the public transport system the employers should not only provide transport facilities to workers living at long distances but should also assist workers in arrangements which the employers can make with public transport authorities or private transport undertakings with regard to the routes, timings of services, fares etc.

(Para 10.36)

CHAPTER XI

PROBLEMS OF ENFORCEMENT AND FACTORY INSPECTORATE SERVICES

74. The norms viz., one inspector for every 150 factories recommended by Labour Ministers' Conference in 1960 is quite reasonable and should be implemented by each State without any further delay. The State Governments should make adequate and speedy arrangements to ensure that at least two inspections of a factory are carried out every year. This standard will of course, not apply in the case of large-scale factories where more than this minimum may be needed to ensure proper and effective implementation of labour laws.

(Para 11.18)

75. The registration fees is collected for performing regulatory functions pertaining to safety and welfare measures. It is essential that the Factories Act be suitably amended by the Central Government so as to make it binding on the State Governments to utilise the money collected by way of fees solely for the purposes of the enforcement of the provisions of the Factories Act. (Para 11.26)

76. Wherever suitable arrangements to collect the statistics do not exist at present, early steps should be taken to establish a suitable machinery as an integral part of factory inspectorates. (Para 11.29)

77. The existing factory inspectorates should be bifurcated into technical and non-technical wings. Wherever necessary the strength of non-technical inspectors (Labour welfare inspectors) may be suitably strengthened. (Para 11.32)

78. It will be useful if suitable reorientation courses are started for giving refresher training to factory inspectors of the State Governments. To supplement this, frequent seminars may also be organised with the cooperation of employers and workers' organisations. (Para 11.33)

79. It would be helpful to appoint a safety officer in all factories employing 500 or more workers. To ensure effective control, the appointment of safety officers may be regulated by the State Governments. It is felt that a provision to this effect may be incorporated in the welfare section of the Factories Act, 1948. (Para 11.35)

80. In order that penal provisions of the Factories Act are really deterrent and effective enough to ensure proper compliance of statutory obligations there should be a minimum fine of Rs. 500 which may go upto Rs. 3,000 for repeated infraction or violation of the statutory provisions. Provision for quick disposal of cases should be laid down in the rules. With a view to ensuring that statutory welfare amenities are provided from the inception of the factory, it seems desirable to introduce a provision in the statutes that no factory shall start functioning or be permitted to be constructed if such necessary provisions are not made in the construction plan for the proposed factory. (Para 11.47)

81. The inspectorate staff may either be provided with Government vehicles or suitable conveyance allowance/advance may be given to the inspectors to enable them to own, maintain and run their own vehicles. (Para 11.50)

82. Exchange of views among the officers of the labour departments of the various States, both at the regional level as well as at all-India level should be organised periodically. The Chief inspectors of all States should meet at least once in a year to discuss various problems facing the enforcement machinery and to find out solution for resolving problems relating to labour administration. (Para 11.51)

83. Compact tripartite committees comprising equal number of representatives of employers, workers and senior officers of inspectorates may be constituted at the plant or industrial level to discuss difficulties involved in the implementation of statutory welfare provisions and to secure improvement in their implementation. (Para 11.52)

84. Inspectorate in each State should appoint medical and chemical inspectors where they have not been appointed so far, and there should be research centre attached to the State inspectorate under the charge of a person specialised in industrial medicine to conduct industrial hygiene and health surveys to find out occupational diseases and to recommend measures to remedy them. Sufficient equipment should also be provided to such research centre. (Para 11.57)

85. The question of constituting an all India Inspectorate Service needs further examination by a specialised body before any step is taken in this direction. (Para 11.67)

86. The recommendations made by 16th Labour Ministers' Conference held in 1960, for improved pay scales for inspectors and creation of higher posts and bifurcation of technical and non-technical cadre of inspectorates with a view to re-organising the inspectorate on proper lines, should be implemented by each State in full. They will help in improving the status and conditions of the factory inspection services in making them more effective. (Para 11.67)

PART III

WELFARE AMENITIES IN SELECTED INDUSTRIES IRON AND STEEL INDUSTRY

87. Welfare amenities available to the workers employed in Iron and Steel industry are of a fairly high order. The effective utilisation of these amenities by workers and proper administration and maintenance of the services provided by the managements, will go a long way in providing much needed comfort and diversion to the concerned workers. (Para 12.1.24)

SUGAR INDUSTRY

88. In Sugar Industry about 65 per cent of the canteens are being run by the contractors. While certain facilities have been provided on satisfactory scale by some managements, there seem to be considerable scope for considerable improvement in the rest of the Industry. (Para 12.2.6)

89. If it is not possible for the government to cover sugar industry workers under the Employees' State Insurance Scheme, as sugar factories are seasonal and these are not situated in contiguous area, it is proposed that the welfare fund be constituted for providing adequate medical facilities to the workers. The Statutory funds may be administered by the proposed welfare board, till the Employee's State Insurance Scheme takes over. (Para 12.2.13)

90. State Governments may give adequate subsidy to the employers who provide sufficient educational facilities for the benefit of the workers' children. (Para 12.2.15)

91. Although recreational facilities have been provided by some of the sugar factories, but they are not adequate. There is need for providing recreational facilities to the employees of the sugar factories on a regular and sustained basis. (Para 12.2.16)

92. In the State of Tamil Nadu the factories are required to help in the formation of Consumers' Cooperative Societies and provide several kinds of

assistance. This is a welcome measure. The other State Governments may also proceed on these lines. (Para 12.2.17)

93. The U.P. Sugar and Power Alcohol Industry Labour Welfare and Development Fund consists of three separate accounts i.e. (a) housing account, (b) general welfare account, (c) development account. 98% of the Fund is credited to the housing account and 1% each to two other accounts. The existing allocations between the three different accounts should be rationalised so that the funds may be available for other amenities also. (Para 12.2.19)

94. There could be no two opinions about the utility of holiday homes for industrial workers. It is hoped that efforts of the Government of Uttar Pradesh in this direction would be continued and further intensified. The other States and industries should emulate this practice. (Para 12.2.21)

COTTON TEXTILE INDUSTRY

95. The quantum and the standard of welfare amenities vary from centre to centre and from unit to unit within the same centre in the cotton textile industry. Some cotton mills have voluntarily provided welfare amenities on an extensive scale beyond what the law requires. Such voluntary efforts should be encouraged and the industry should continue its efforts to provide welfare amenities to all the workers. (Para 12.3.39 & 12.3.40)

CEMENT INDUSTRY

96. The canteen facility available to workers in the cement factories is satisfactory. It is, however, considered desirable that as far as possible, the canteen facilities should be extended to workers in all the shifts. (Para 12.5.7)

97. The contract labour is the characteristic feature of cement industry. The contractors must maintain creche for their women workers. In case the contractors fail to provide this facility, it should be the responsibility of the principal employer to provide it. (Para 12.5.9)

98. The managements in cement industry should encourage early establishment of fair price shops/cooperative stores wherever, not established so far by providing facilities like building, furniture, electricity etc. (Para 12.5.10)

99. The cement industry generally maintains high standards in regard to provision of welfare amenities like drinking water, conservancy, first aid etc. However, some of the units are not providing these facilities to the requisite standard. Such units should also improve standard and fall in line with others. (Para 12.5.11)

100. Owing to dusty processes in the cement factories the diseases of lungs and skin are common. It is necessary that adequate attention should be paid for the detection of the incidence of occupational diseases amongst workers. Adequate arrangements for protection of workers against occupational health hazards are considered to be essential. (Para 12.5.14)

101. It is essential that workers possess not only working knowledge of three R's but also some aspects of industrial relations. It is appropriate that

due encouragement should be given to adult education by all the cement factories. Wherever unit level classes under the Worker Education Scheme have not yet started, arrangements should be made to have these classes at an early date. (Para 12.5.17)

102. The Cooperative House building societies are important institutions in the field of workers' housing programme. Development of such societies would go a long way in supplementing the efforts of the managements in providing housing accommodation to their workers. (Para 12.5.19)

103. The cement industry employs a sizeable number of contract labour. Although some of the managements have provided welfare amenities to such workers, but in many cases such facilities are not being provided. It is earnestly hoped that managements in cement industry will also gradually bring contract labour within the ambit of a sizeable number of welfare amenities. (Para 12.5.21)

RAILWAYS

104. Subject to availability of funds more attention should be paid to the housing programme for railway employees so that larger number of employees in each category are provided with this important basic need. (Para 12.6.6)

105. The efforts made by the Railway Administration in giving impetus to house building on co-operative basis by its employees is commendable. The total membership of these Societies is, however, not very significant as compared to the total number of Railway employees. The Administration should make greater efforts to give impetus to the formation of such Societies amongst its employees. (Para 12.6.7)

106. The free supply of dentures, spectacles and artificial limbs should be extended to all employees drawing pay in the scale of Rs. 250-380 per month by the Managing Committee of the Staff Benefit Fund. (Para 12.6.11)

107. At present the medical, health and family planning facilities are only available at important stations or where a sizeable number of railway employees live. It is very essential that gangmen and other similar staff working on the railway lines and at small stations of loop lines are also provided with adequate health and family planning services. (Para 12.6.15)

108. The cash incentives admissible to the parties, motivators and doctors, for IUCD, Vasectomy and Tubectomy are very meagre. Keeping in view the national importance of the family planning programme they should be suitably increased. (Para 12.6.15)

109. The Railway Administration is running a good number of Institutes providing recreational facilities, reading rooms and recreation clubs as well as mobile libraries with a view to promoting sports/tournaments and physical and mental efficiency. Where institutes do not already exist and the need for the establishment of fresh institutes is felt, the same may be provided. (Para 12.6.26)

110. Keeping in view the utility of the holiday homes, their number should be suitably increased. (Para 12.6.27)

111. Railway Administration have set up handicraft centres to supplement the income of the families of railway employees. The Administration may take steps to expand the activities of these Centres and, if possible, may also explore the possibility for commercialisation of the articles produced in these Centres. This may give further impetus to the wives of the Railway employees and they may take advantage of these handicraft centres in greater number and with greater interest. (Para. 12.6.28)

112. Canteen is a basic welfare amenity. It is desirable that non-statutory canteens as well as canteens run by the employees should be encouraged and treated at par with the statutory canteens. At present the practice is that in case of the statutory canteens cent per cent expenditure incurred on the salaries of the staff, etc., is granted as subsidy whereas in the case of non-statutory canteens only 50% of this expenditure is granted as subsidy. The same subsidy as is given to the statutory canteens by the Railways may also be given to the non-statutory canteens and canteens run by the employees themselves. Credit sales facility may be extended to railwaymen in statutory and non-statutory canteens for a fixed percentage of pay subject to overall limits laid down in the Payment of Wages Act, 1936. Suitable amendments, if necessary, may also be made in the Payment of Wages Act, 1936 to permit recoveries of the credit sales. (Para. 12.6.32)

113. Maintenance of canteens on hygienic lines is essential. This can be ensured through regular inspection. It is, therefore, suggested that the medical department of the Railways should make arrangement for inspection of canteens at regular intervals. (Para. 12.6.33)

114. The present per capita rate of contribution is Rs. 4.50 per non-gazetted employee per year. To meet the growing demand on welfare facilities, the existing rate should be reviewed and the per capita grant be revised upwards. (Para. 12.6.37)

115. The recommendations made by this Committee do not, however, in any way, jeopardise the area of collective bargaining between the Railway Administration and its employees for any other additional amenities. Looking to the expansion of Railways and rising standards of living, generally the requirement in every sphere can be assessed in bi-partite meetings between the Railway authorities and representatives of the employees from time to time and welfare amenities provided in terms of settlements reached between the parties. (Para. 12.6.38)

POSTS AND TELEGRAPHS

116. Housing accommodation so far has been provided to a limited number of posts and telegraphs employees. It is necessary that the department pays greater attention to provide housing accommodation to a large number of its employees, according to a phased programme more so when Posts & Telegraphs has its own programme of construction of houses and has not to depend on outside agencies. (Para. 12.7.38)

117. There is need to provide some welfare amenities to extra-departmental employees. To such employees facilities like flood-relief, assistance in case of prolonged illness, assistance to dependents in case of pre-mature death of the bread-winner,

medical, educational and other similar amenities may be extended. In order to extend these facilities it would be necessary to raise the quantum of the welfare fund which is at present Rs. 10 lakhs. It is felt that this quantum should be raised and it should be based on per capita basis as is the practice in the Railways. (Para. 12.7.39)

118. For efficient running of welfare measures streamlining of administration and training of personnel is essential. The Department of Posts & Telegraphs should undertake a series of measures aimed at (i) training of personnel concerned with the running of canteens, co-operative stores, thrift and credit societies, etc., (ii) promotion of welfare committees at the circle level consisting of the representatives of workers and the managements to review the working of the various welfare amenities and suggest measures for improvement periodically; and (iii) coordination of various activities at the circle level with a view to providing guidance for streamlining such organisations as are exclusively being run by the employees, namely, co-operative stores, thrift and credit co-operative societies, etc. (Para. 12.7.45)

119. Welfare being dynamic subject, constant review of the type and extent of welfare facilities is necessary. Periodical review of the adequacy or otherwise of the welfare amenities provided and evaluation of their administration, their impact on employer-employee relationship and on the sociological and attitudinal changes in the outlook of employees should be undertaken by an Expert Body. Provision and administration of welfare amenities should also be suitably reorganised as a result of these reviews, if necessary. (Para. 12.7.46)

120. Posts and Telegraphs have a long history of collective bargaining. In future too, enhancement and alterations in welfare amenities, if any, should be effected as a result of collective bargaining between the Department and the concerned workers' organisation. (Para. 12.7.47)

DEFENCE INSTALLATIONS

121. In defence installations the provision of canteens on joint basis exist, which are at times over-crowded. Wherever joint canteen facilities are provided to units, located at close proximity to each other, effort should be made to provide adequate accommodation, service amenities and to overcome the problem of over-crowding etc. (Para. 12.8.6)

122. Wherever schools are not situated within a reasonable distance, free/subsidised conveyance from residence to school and back for the children of the employees may also be provided. (Para. 12.8.11)

123. Supply of free milk and mid-day meals to the children is available in some defence installations. Considering the value of such measures it is desired that the possibility of extending this facility to children particularly of low-paid workers in all schools run by the Defence Installations may be considered, if possible. (Para. 12.8.12)

124. The Ministry of Defence should make sustained efforts to provide housing accommodation to a larger number of civilian workers in the near future. (Para. 12.8.13)

125. The housing needs of the civilian workers can also be met with if the formation of co-operative house building societies are encouraged. The Defence Ministry would do well to direct its units to encourage workers to form co-operative house building societies to accelerate the programme of house building. (Para 12.8.14)

126. Wherever public transport services are not available or are inadequate, transport facilities may be provided to the workers by the managements of Defence Installations. (Para 12.8.16)

127. Nari Kalyan Kendras set up by the managements at some centres have proved to be useful in more than one way to the families of the employees. Efforts should be made to set up more Kalyan Kendras in residential areas where there is a concentration of defence employees. (Para 12.8.18)

LIFE INSURANCE CORPORATION

128. The liberalisation of the existing terms and conditions for availing housing advances will boost up housing programme. The Corporation should provide liberal terms for house building-advances/loans to enthuse its employees. (Para 12.9.6)

129. Possibility of providing medical benefit through extension of E.S.I. Scheme to L.I.C. workers may be explored. For the interim period expenditure on specialised treatment may be reimbursed. (Para 12.9.8)

130. To improve the facilities in the canteens, the Life Insurance Corporation may undertake to provide space free of rent, utensils, furniture, electricity and water in all the canteens serving 200 or more employees. (Para 12.9.11)

131. There is need for providing cash relief in distress like flood, fire, accidents, etc. At present this is being met partly with the existing funds namely, Chairman's Staff Welfare Fund and 'Emergency Medical Aid Fund', etc. The existing funds may be augmented so as to provide relief in contingencies like flood, fire, accident or a separate benevolent or compassionate fund may be created for this purpose. (Para 12.9.15)

132. Educational facilities in the form of scholarships, books-grant to the children of Class IV employees may be provided. (Para 12.9.16)

PORTS AND DOCKS

133. The Mankikar Committee recommended that welfare amenities provided to port and dock workers should be of standard comparable to those available to other industrial workers. All Dock Labour Boards/Port Trusts should make urgent efforts to ensure that the recommendations of the Single Member (Mankikar) Committee are implemented immediately. (Para 12.10.9)

134. Provision of welfare amenities prescribed under the Dock Workers' (Safety, Health and Welfare) Scheme, 1961, should be strictly enforced without further avoidable delay. (Para 12.10.12)

135. At present the dock and port workers get welfare amenities to a limited extent. Port Trust Employees' Welfare Fund has not been able to cater to welfare needs of port workers. In view

of this, the welfare amenities may be properly planned on the lines of statutory welfare funds of coal, mica and iron ore and finances earmarked and procured. This fund may be administered by a board consisting of the representatives of Port and Dock, Stevadores, employees and other interests. (Para 12.10.15)

136. Since at some ports canteen facilities are not available to certain categories of dock labour it is essential that these should be provided to all categories of workers round the clock, wherever it is not available, provided the number of workers is adequate. (Para 12.10.18)

137. The Port authorities and Dock Labour Boards should jointly, in consultation with workers' representatives, set up floating canteens in order to provide necessary canteen facility to the workers who are unable to come to the shore, provided the number of workers is sufficient and the scheme is viable. (Para 12.10.19)

138. The quality of the items served at the canteens requires improvement and Port and Dock authorities should pay more attention to the nutritious value of the eatables served in the canteens. (Para 12.10.21)

139. In the interest of better management of canteens and greater facilities to the consumers, delegation or decentralisation of financial powers to the extent possible be effected. (Para 12.10.22)

140. Priority should be given to the family planning programme and wherever no clinic/centres have been set up, efforts should be made to establish separate clinic/centres properly equipped with duly qualified personnel to carry out family planning advice and operations. (Para 12.10.25)

141. Since dock workers are exposed to accidents and hazards of occupational diseases owing to the varied nature of commodities they handle, it is desired that protection be provided to the workers exposed to hazards of occupational diseases under the Factories Act, 1948 should also be made available to dock workers. (Para 12.10.26)

142. Where the dock and port workers are residing within the port premises, it is for the employers to provide educational facilities to the employees' children. Where schooling facilities are not available within the convenient distance for the children of workers the port authority should either consider the setting up of schools or should ensure that adequate transport facility is available to them. (Para 12.10.29)

143. Port and dock workers should be offered suitable incentives by the Dock Labour Boards/Port Trusts in order to popularise adult education.

144. (a) As Ports and Docks' Administration work needs very close collaboration and liaison with each other and premises also happen to be the same, the Port Authorities and Dock Labour Board should jointly undertake to provide subsidised houses to all the workers, in the shortest possible time.

(b) The Dock Labour Boards for the provision of housing facilities may be empowered to collect adequate levy from the stevedore employers.

(c) Central Government should pay adequate housing subsidy to finance various housing Schemes.

(d) Concerned State Governments may also arrange wherever feasible for the land so that housing colonies can be constructed in areas adjacent to Ports and Docks and for the construction of houses, extent of loans may also be suitably increased.

(e) The Port and Dock Workers are not covered under the Subsidised Housing Schemes for industrial workers. It is desired that the definition of "workman" as given in the Industrial Disputes Act may be suitably amended so as to include Port and Dock Workers also. (Para 12.10.36)

145. State Government, Employers' and Workers' Organisations should take necessary steps for setting up Cooperative Stores in Dock Areas/Housing Colonies wherever practicable and feasible. (Para 12.10.40)

146. The provision of transport to its workers where normal transport facilities are not available is the responsibility of the employers. The employers should make necessary arrangements in consultation with the appropriate transport authorities. (Para 12.10.42)

147. Keeping in view the hazardous nature of work in Dock and Port Industry, it is essential that there is a sound scheme of distress relief. A scheme may be evolved to provide distress relief and cash benefits in the event of death, injury, sickness, etc. (Para 12.10.47)

148. Welfare amenities like medical, education, drinking water, canteen and rest and recreational facilities which are essential should be provided to all workers including casual and contract workers on the same footing as are being made available to departmental (registered and regular) workers. (Para 12.10.48)

WELFARE AMENITIES FOR BANK EMPLOYEES

149. The existing welfare amenities available to bank employees are by and large, satisfactory. The need for providing better and more welfare facilities, if any, may be left to collective bargaining. The workers in Banking Industry, however, be entitled to receive the benefits of the comprehensive National Social Security Scheme as and when it is introduced. (Para 12.11.26)

MUNICIPAL BODIES

150. Barve Committee, Malkani Committee, Mrs. Renuka Ray Committee recommended that the supply of wheel barrows, trollies, gloves, gum boots, and other protective clothing be provided to municipal workers engaged in conservancy work. State Governments should ensure that the municipal bodies take effective steps to implement the above recommendations and put an end to the primitive and unhygienic practice of carrying night soil as head-loads without further delay. (Para 12.12.9)

151. Creches should be provided in colonies generally inhabited by Municipal employees, including sweepers and scavengers, where at least fifty

families are residing and where such facilities are not available. (Para 12.12.12)

152. Housing programme for municipal workers including conservancy staff should be stepped up without avoidable delay. To achieve these objectives it is desired that—

1. Municipal bodies with active assistance of State Governments should take urgent steps to build Housing Colonies for their workers specially for the conservancy staff.
2. Housing societies on co-operative basis among municipal workers should be formed wherever such societies are not in existence. These societies should also be given necessary financial assistance by the municipal bodies and the respective State Governments.
3. Existing Housing Schemes for sweepers and scavengers (namely Sweepers Housing Scheme and Low-Income Housing Scheme) be co-ordinated in such a way so as to provide maximum benefit to this category of workers.
4. State Governments may provide house sites free of cost on nominal payment. Rules of loans and advances may be liberalised further to help workers to construct their own houses.
5. The possibility of constructing houses on hire-purchase basis for municipal workers may also be explored in conjunction with the State Housing Board. (Para 12.12.16)

153. The children of conservancy staff need special attention so that they may learn new skills and are thus not forced to adopt the hereditary profession. This cannot be done by imparting education and training to their children out of their income. It is, therefore, necessary that substantial measures are adopted for giving free supply of stationery and books to the children of low-paid employees in general and conservancy staff in particular. (Para 12.12.17)

154. In order to bring a change in the attitude of conservancy workers with regard to their status in society, a feeling of self-respect and pride may be developed among them. Adult education should be made more popular with the conservancy staff by providing necessary incentives in collaboration with the State Adult Education Board. (Para 12.12.19)

155. Community Centres on the lines of Labour Welfare Centres may be opened by the Municipal bodies at appropriate places wherever there is concentration of municipal workers and where such facilities are not available. These Centres should provide *inter alia* medical, recreational, and educational facilities. Arrangements for training in handicraft, knitting and sewing, music and dancing for the families of the workers may also be made. (Para 12.12.21)

156. Municipal bodies employing 300 or more workers should take necessary steps in the early formation of cooperative consumers' stores and cooperative credit societies, wherever such facility is not available. (Para 12.12.22)

157. Municipal bodies employing 500 or more workers should designate an officer to ensure that the welfare amenities, as laid down in the municipal bye-laws are effectively implemented. (Para 12.12.26)

BUILDING AND CONSTRUCTION INDUSTRY

158. In the case of works undertaken by C.P.W.D. directly or through contractors, Model Rules have been framed for providing welfare amenities to workers at work places. Other organisations have also made some arrangements to look after the implementation of these amenities. But the enforcement machinery is inadequate to look after the proper enforcement of welfare amenities. The concerned sponsoring bodies should, therefore, take effective steps to ensure that the obligations cast upon the employers under the Model Rules are implemented. (Para 12.13.7)

159. Where the works are located at far off places and the workers do not belong to the local area or places within a distance of 5 miles from the worksite, it should be obligatory on the employer in case of all work-sites, where 100 or more workers are employed, to provide improvised huts or residential camps to such workers near the work-sites, with suitable sanitation facilities. (Para 12.13.9)

160. A large number of women workers are employed in construction industry. Also the pattern of employment is such that almost all adult members of the family work on the same work site. In such a situation necessary arrangements should be made by the employers for workers' children to be looked after properly. (Para 12.13.10)

161. Since a large number of construction workers are outside the purview of safety provisions, it is desired that the standardisation of safety measures for different job descriptions should be laid down by the technically competent experts. (Para 12.13.13)

162. It has been noticed that there is a considerable delay in the actual disbursement of claims under Workmen's Compensation Act, 1923. Arrangements should be made for expeditious disbursement of the amounts by disbursing authorities as prescribed under the Act. (Para 12.13.14)

163. It is essential that in building and construction industry workers are protected against accidents by accident insurance. A beginning in the field of accident insurance can be made in respect of such work-sites as employ 100 or more workers. (Paras 12.13.15, 12.13.16)

164. Building and construction industry being an industry which employs a sizeable number of workers as also keeping in view its peculiar nature, mere extension of existing enactment of labour welfare and social security benefits to this industry will not serve the purpose. To suit its particular nature, there should be separate self-contained enabling legislation to regulate, *inter alia* provision of welfare amenities and social security benefits to a very large number of workers employed in this industry. (Para 12.13.21)

MOTOR TRANSPORT WORKERS

165. State Governments should suitably strengthen their inspection machinery to ensure that the

statutory welfare amenities provided in the Motor Transport Workers' Act are effectively implemented without avoidable delay. (Para 12.14.8)

166. In the State of Jammu & Kashmir, a very large number of workers are employed in motor transport industry. Motor transport is the only means of transport in this State. In order that workers are ensured basic welfare measures, it is essential that, subject to over-all constitutional safeguards applicable to the State of Jammu and Kashmir, the Motor Transport Workers Act, 1961, may be extended to that State. (Para 12.14.9)

167. Road Transport industry like various other industries has its own hazards. Moreover, Road Transport workers' life is also comparatively unsettled. Only due to administrative or other difficulties that may come in the way of the State Governments for the extension of the Act to cover establishments employing less than 5 workers, a large majority of road transport workers cannot be deprived of the benefits of the provisions of even the minimum basic welfare amenities provided under the Act for an indefinite period. As it is a Central Act, the Government of India, in consultation with the State Governments, which enforce the Act, should consider the possibilities of extending the same to uncovered workers. (Para 12.14.11)

168. Since the headquarters of transport companies are located at concentrated places, the scope of extending amenities in this regard merits consideration by the concerned State Governments. There is a strong case for the State Governments who can prevail upon all transport employers in such places to provide the basic minimum welfare amenities, such as canteens, rest shelters, and medical facilities to workers employed by them. Should persuasion fail, it would be desirable to amend the Motor Transport Workers' Act suitably so as to make it obligatory on the transport establishments not covered under the Act to provide jointly basic minimum welfare amenities referred to above. (Para 12.14.12)

169. Instead of creating an autonomous body for the Motor Transport Workers only, the proposed Labour Welfare Boards in each State should also take care of the workers employed in road transport industry. This will not only economise the overhead cost but will bring these workers with in the larger area of welfare amenities to be provided by the Welfare Boards. (Para 12.14.17)

170. The running staff of Motor Transport Industry may be compulsorily insured for a reasonable amount against death and permanent incapacity, the cost of insurance being shared equally between the employers and the workers. The Life Insurance Corporation has a number of schemes to cater for such establishments, one of which is a Group Insurance Scheme. It is desired that the Life Insurance Corporation may consider whether any of the existing scheme would meet the purpose of this recommendation and, if not, a new scheme may be evolved for the purpose. (Para 12.14.18)

WELFARE AMENITIES FOR SEAMAN

171. There is need for construction of adequate housing for seamen. To supplement their housing facility it is desired that:—

- (1) Construction of hostels, clubs and other quarters may be intensified keeping in view

the requirements of family and non-family seamen accommodation.

- (2) Special facilities may be offered to such seamen as do not have their own houses to form cooperative housing societies for meeting their housing needs. (Para 12.15.7)

172. As a preliminary step investigation may be carried out into the causes of high incidence of diseases (i.e., ear trouble and stomach ulcer) and preventive as well as curative steps be taken at an early date to bring down incidence of all diseases. (Para 12.15.10)

173. The National Welfare Board for Seafarers recommended :

- (a) establishment of hospitals or boarding and lodging houses for seamen;
- (b) establishment of clubs, canteens, libraries and other like amenities for the benefit of seamen ;
- (c) establishment of hospitals for seamen or the provision of medical treatment for seamen ;
- (d) provision of educational and other facilities for seamen.

Efforts should be made to implement the recommendations given by the National Welfare Board for Seafarers' or any of the Sub-Committee appointed by it, as quickly as possible.

(Paras 12.15.17, 12.15.18)

174. It would be desirable to organise seamen's clubs which would undertake more facilities on an expanded scale, wherever considered necessary and feasible. (Para 12.15.19)

175. It would be advisable for the Central Government to persuade the State Governments to set up Vocational Training Centres wherever seamen live in a sizeable number. Continued technical education may also be arranged for Seamen so that they become eligible for higher jobs in the industry. Apart from Ship owners and other employers, Seamen's Welfare Fund Society can also make some positive contribution. Such vocational centres should also be made open for the families of seamen and/or unemployed Seamen who may be assisted to acquire knowledge of certain trades and vocations which will enable them to supplement family income, when the bread-winner is on the high seas and also during his unemployment period. While it is necessary that the amenity should first be arranged for the workers, it is equally important that if this facility is provided it should be properly and fully utilised. The experience gained, so far is not very encouraging. The location aspect of such centres will play a very important part. In case such Centres are set up at a distance from the residence of Seamen then there is a likelihood that the families of Seamen may not be enthused to avail of the advantage of this amenity. Such centres could be started as near residence of seamen as possible in places where seamen population is concentrated. (Para 12.15.20)

176. A suitable Scheme of Unemployment Insurance may be evolved and made applicable to seamen as and when considered feasible and administratively possible. (Para 12.15.21)

177. It is felt that the formation of cooperative credit and thrift societies for the benefit of seamen may be considered. These Societies may be given loans on easy terms to seamen during the period of unemployment. (Para 12.15.22)

178. The handicapped Seamen should be assisted in their rehabilitation, so that they can do other jobs and earn livelihood in spite of their incapacity for working as seamen. (Para 12.15.23)

179. Prior to rehabilitation, the programme for providing necessary training to the handicapped seamen is very necessary. Before handicapped seamen could find an alternative job it is necessary that Rehabilitation Centres could be started at major ports where such Seamen could be trained in different trades, which they can pick up, taking into consideration the nature of their incapacity to do certain jobs or arrangements could be made for training at established centres, if the number of such handicapped seamen does not justify starting a centre exclusively for them. (Para 12.15.24)

PART IV

WELFARE AMENITIES IN MINING INDUSTRY

Minimum Welfare amenities for Miners.

180. Minimum amenities that must be extended to all miners irrespective of the size or location of the mine and the number employed therein should include : (a) Wholesome and cool drinking water; (b) first-aid medical appliances; and (c) living facilities

(Para 14.10)

181. There is no doubt that the provision of wholesome drinking water and first aid amenities will have to be provided and equipped according to a standard measure prescribed by the competent authority. As for living facilities, the standard and scale of these amenities will have to differ from mineral to mineral and in some cases from mine to mine as well. Mines employing less than 50 workers, with a short span of life, cannot certainly be expected to provide a standard pucca house. The purpose of laying down minimum facilities would be met even if a thatched house or an improvised hut, in the case of mines having short life or employing negligible number of workers, is provided.

(Para 14.11)

182. For mines employing more than 50 workers, it is necessary that the minimum should also include facilities other than those referred to above. These would include proper arrangements for latrines, disposal of night soil, urinals, drainage, prevention and control of diseases prevalent/associated with the working situation and/or place of living, emergency medical care on the spot and family planning advice.

(Para 14.12)

183. Employers employing 300 or more workers may take initiative to provide adequate educational and recreational facilities with suitable assistance from State Governments and the Miner's Fund.

(Para 14.13)

184. In the case of very small mines, efforts to provide some of the amenities, other than wholesome and cool drinking water, first-aid medical

appliances and thatched houses, will have to be supplemented by the General Miners' Welfare Fund, which is proposed to be run by a Corporation.

(Para 14.14)

Existing Welfare Measures

185. (i) The existing Mines Rules be suitably amended to provide for a full-fledged dispensary and to appoint a full-time medical officer and compounder-cum-dresser and nurse for every mine employing 500 or more persons. For mines employing between 150 to 500 workers, a part-time medical officer and a full-time compounder-cum-dresser may be appointed.

(ii) For smaller mines employing 150 or less workers spread over a contiguous area, a mobile medical unit be provided jointly for a group of mines under a qualified doctor.

(iii) The list of medicines, drugs, appliances and equipments which continue changing due to the research and advancement in medical science, should be revised and brought up-to-date from time to time by the Medical Board. There should be a revision of list of standard drugs at least once in five years.

(iv) The dispensaries which are getting grants-in-aid from welfare fund should also arrange family planning clinics in view of the importance of the problem. Expeditious arrangement should be made to reimburse expenditure to the mine owners concerned.

(v) The specifications regarding the provision and standard of first-aid-room be laid down to guide the mine owners.

(vi) The above recommendations should apply to all types of mines in India and suitable amendments may be made in the Mines Rules under medical facilities for the miners.

(Para 15.14)

186. Rest shelters should be provided in all mines irrespective of workers employed therein. The type of rest shelters may be worked out according to the conditions obtainable locally.

(Para 15.17)

187. Since pit head baths are absolutely essential for workers engaged in the extraction of coal, the provision regarding pit head baths may be enforced strictly.

(Para 15.19)

188. As the provision of Canteen is a statutory obligation, it should not only be run well but should also be able to provide at least one balanced meal a day to workers at rates cheaper than those charged by private shops in the nearby localities. As managements provide free electricity and water for the maintenance and building of the canteens, these canteens be run on "no profit and no loss" basis.

(Para 15.24)

189. Credit facilities to the mining workers for purchasing of edible be extended to maximum limit or 15% of the basic wages and dearness allowance, subject to the overall limit laid down in the Payment of Wages Act, 1936. Managements should also keep these canteens open for atleast

two shifts for the mines working round the clock.
(Para 15.25)

190. Since maintenance of creche is a statutory obligation on the part of the mining employers employing women workers, the enforcement machinery should ensure that the creches are provided and maintained well by the mining employers. Child health clinics and family planning counselling centres for women workers may also be started in the creches.

(Para 15.30)

191. Community creche-cum-kindergarden institutes may also be started by the Mica and Iron Ore Welfare Fund. Such creches should also be started for other mining industries through the General Miners' Welfare Fund, when constituted.

(Para 15.32)

Enforcement Machinery

192. By levying a suitable registration fee on the mining establishments it should be possible to build up sufficient fund which may in turn be utilised for reinforcing the mining inspectorate.

(Para 16.17)

193. Suitable registration fee in the case of mines, on the lines in vogue in factories, be imposed for strengthening the enforcement machinery for the implementation of statutory welfare provisions in the mining industry.

(Para 16.21)

194. The Directorate General Mines Welfare be set up for organising welfare activities for workers engaged in the mining establishments. This administrative agency would be in a befitting position to ensure the effective enforcement of the statutory welfare measures in all mining establishments.

(Para 16.23)

195. (i) The provisions relating to health and sanitation prescribed in Chapter V of Mines Rules 1955, which include the supply of drinking water and its storage at work-sites on the surface, construction of latrines and urinals on the surface and other provisions relating to general sanitation may be administered and enforced by proposed Director General Mines Welfare on the surface. For underground, such provisions may continue to be administered by the Director General Mines Safety.

(ii) The provisions relating to first-aid and medical appliances in Chapter VI of the Mines Rules which are closely connected with the accidents and injuries in Mines, may continue to be administered by the Director General Mines Safety.

(iii) The provisions relating to employment of persons, weekly day of rest, compensatory days of rest etc., mentioned in Chapter VII of the Mines Rules and provisions relating to leave with wages and overtime etc., mentioned in Chapter VIII of the Rules, fall under the broad purview of the Payment of Wages Act, 1936 and may therefore, be looked after by the Industrial relations machinery under the Chief Labour Commissioner (Central).

(iv) All other non-technical provisions including rest shelters, canteens, welfare officers their duties and conditions of service etc. mentioned in Chapter IX of the Rules should be enforced and implemented by the proposed Director General Mines Welfare in all mines in India.

(v) The inspecting and enforcement officers attached to Directorate General, Mines Welfare and Chief Labour Commissioner (Central) may be declared as Inspectorate of Mines under section 5(1) of the Mines Act, 1952. Alternatively, the proposed Directorate General, Mines Welfare and the Chief Labour Commissioner may be declared as competent authority for administration of different sections as indicated above under Mines Rules, 1955. For implementing and enforcing the above recommendations, the Mines Rules 1955 be suitably amended.

(Para 16.25)

Housing

196. Existing rate of cess on the despatch of coal both for the construction of houses as well as for the extension of other welfare amenities is inadequate and the rate of levy be raised to Re. 1/- per metric tonne on despatch of coal.

(Para 17.22)

197. At least 20% of the houses required for colliery workers, in each colliery, should be built by the employers on their own and the remaining 80% with subsidy from the Welfare Fund.

(Para 17.23)

198. Subsidy for construction of houses should also be suitably increased by the Coal Mines Labour Welfare Fund.

(Para 17.24)

199. State Governments must streamline the process of acquisition of land and make it available to employers at reasonable prices.

(Para 17.25)

200. Workers in coal mines should also come forward to take advantage of the 'Build Your Own House Scheme' or Cooperative Housing Scheme. Trade Unions should take sufficient interest to popularise the above schemes amongst colliery workers.

(Para 17.26)

201. Hostel accommodation for bachelors and widowers should be provided by the Coal Mines Welfare Organisation at suitable places.

(Para 17.27)

202. Employers in Mica Mines should realise their responsibility in the matter of workers housing and provide houses to their workers and should come forward to avail of the assistance by the Fund.

(Para 17.32)

203. In mines situated in remote places and where the life of the mine is uncertain and seasonal, the housing programme can be made flexible to suit local, climatic and environmental conditions. One standard need not be applied to all places and conditions. A good thatched house is, therefore, as good as a brick house if it is situated in healthy and clean surroundings. Where the life of mine is short, houses built of pre-fabricated concrete slabs, portable hutments, temporary houses built of cheap and locally available building material should be encouraged instead of conventional types.

(Para 17.36)

204. Houses should be constructed for the balance of such workers as have not yet been

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provided with housing accommodation by managements of mining establishments of mines other than coal with suitable subsidy from the proposed General Miners' Welfare Fund. As for the major minerals, it is necessary that at least 20% of the housing units are provided by employer and the balance, according to the requirements, constructed with suitable assistance from the proposed fund.

(Para 17.37)

205. Housing facilities commensurate with the conditions of work and the terms of lease held, should be provided to workers employed in minor minerals.

(Para 17.38)

206. Since it is difficult for the individual mine owners to provide housing facilities to their workers, the proposed General Miners' Welfare Fund, should therefore, offer assistance to mine owners for construction of houses. An expert body may lay standard of houses after taking into cognizance all the relevant factors.

(Para 17.39)

Statutory Welfare Funds in Mines

207. Repairs and renovations of dhowrahs and huts wherever necessary should be carried out by the employers themselves in all mining establishments.

(Para 17.40)

208. Static dispensaries may be substituted by mobile medical units in coal fields.

(Para 18.21)

209. The medical officers employed in the medical institutions of the Coal Mines Welfare Organisation should be adequately trained in the field of industrial health and applied medicines.

(Para 18.22)

210. Research facilities be provided at hospitals set up by Coal Mines Welfare Organisation under a phased programme.

(Para 18.23)

211. Employers should make arrangements for supply of protected drinking water, storage and distribution thereof. In case it is not possible to provide piped water in each house, provision for giving one water tap for at least every 5 houses, wherever it is feasible and wherever sizeable number of workers reside in a workers' colony, should be made obligatory and the Mines Rules be suitable amendments in the Act.

(Para 18.42)

212. Mica Mines Labour Welfare Fund Act may be extended to Mica factory workers by making suitable amendments in the Act.

(Para 18.54)

213. The rate of cess on export of mica be raised to 64% *ad valorem*, the maximum permissible under the Act.

General Miners Welfare Fund

214. The General Miners' Welfare Fund be constituted and administered by the Central Government.

(Para 19.57)

215. For constituting the General Miners' Welfare Fund the best solution would be to divide the minerals into a number of groups on the basis of prices and to levy cess at different rates as under :—

- (i) For minerals whose value is upto Rs. 25/- per tonne, a cess of 25 paise per tonne may be levied;
- (ii) For minerals whose value vary from Rs. 25/- to Rs. 50/- a cess of 50 paise per tonne, may be levied;
- (iii) For minerals fetching prices higher than Rs. 50/- per tonne, the rate of levy may be Re. 1/- per tonne;
- (iv) In the case of precious stones, and minerals where the unit is carats or kgm., the cess should be levied on the *ad valorem* basis ranging between 1 % to 24% of the value.

This will help in distributing the burden on each mineral equally.

(Para 19.9)

Administration of the General Miners' Welfare Fund.

216. All the existing Statutory Welfare Funds namely Coal Mines Labour Welfare Fund, Mica Mines Labour Welfare Fund and Iron Ore Mines Labour Welfare Fund be pooled together and placed under one administrative agency like Directorate General Mines Welfare and the Directorate should be empowered to implement and enforce statutory and non-statutory welfare measures for all mines in India. Its set up should be on the lines of the Directorate General, Mines Safety and should work region-wise as per location and density of miners in different areas of the country with headquarters at Dhanbad so that the coordination programme with Directorate General, Mines Safety should continue.

(Para 20.9)

217. In order to ensure that the welfare amenities which are financed out of the cess levied on coal, mica, and iron ore and through such impositions or levies which may be decided in future for other minerals, including minor minerals, are provided, implemented and executed with speed without administrative over-lapping. An autonomous corporation may be brought into being, with the amalgamation of the three existing Funds to start with. This set up will embrace the proposed Directorate General Mines Welfare.

(Para 20.17)

218. In the company or corporation form of administration, it would be easier to delegate powers to the Chief Executive who in turn, will delegate to the various administrative units working in different regions of India.

(Para 20.18)

PART V CHAPTER XXI

REVISION OF WAGE LIMIT FOR THE PURPOSE OF COVERAGE BY PLANTATIONS LABOUR ACT

219. The coverage of the Plantations Labour Act should be brought at par with the definition

of the workmen under the Industrial Disputes Act and as such Section 2K(ii) of the Plantations Labour Act needs to be amended.

(Para 21.21)

CHAPTER XXII

Supply of drinking water.

220. (i) The small planters have not been able to comply with the provisions of the supply of drinking water as per provisions of the Plantations Labour Act in Assam, Tripura and West Bengal. A stricter enforcement of the Plantations Labour Act would go a long way in improving the existing arrangements.

(ii) It would be safe to provide piped supply of chlorinated water through stands at convenient points and if this is not feasible efforts should be made to provide tubewells. These efforts need to be supplemented by Local Panchayats which collect cess from Plantations.

(iii) Where the safe water supply cannot be made available, the practice of drinking boiled water can be established through the health education.

(iv) In the State of Kerala, where the rules do not specify that drinking water facilities should be made available at the work-place, there is need to make a suitable amendment to the rules to provide for this.

(Para 22.2.7)

Sanitation

221. The provisions relating to conservancy have not been complied with to the required extent. The employer should provide preferably septic latrines at work place at the rate of one for 50 acres with a minimum of one for either sex.

(Para 22.3.7)

222. The question of identification of occupational diseases and the treatment thereof in the plantation areas on account of any of the occupational hazards needs to be examined and a survey might be undertaken by the concerned authority.

(Para 22.4.4)

223. The benefit of the short term reorientation courses and research as are conducted by institutes like the Ross Institute of Tropical Hygiene at Jorhat should be available to the Industry as a whole and be extended to small plantations on suitable terms and conditions.

(Para 22.4.46)

Prescription of drugs and medicines.

224. State Government where plantations are located and which have not prescribed list of medicines, drugs and equipment to be maintained in the hospitals under the Plantations Labour Act should be done urgently. In order that hospitals are properly equipped the State Governments may also consider the desirability of undertaking a review at least once in two years.

(Para 22.4.48)

Extension of E.S.I. Scheme to Plantation Industry.

225. It may not be possible for the Employees' State Insurance Corporation to cover the plantations in the foreseeable future. As such the possibility of making arrangements for extending medi-

cal facilities to plantation workers not covered by the Plantations Labour Act have to be explored independent of the Employees' State Insurance Corporation.

(Para 22.4.51)

CHAPTER XXIII

Canteens

226. The provisions relating to canteens or satisfactory alternative arrangements as prescribed by the State Governments, should be enforced.

(Para 23.12)

CHAPTER XXIV

Creches

227. The provisions relating to creches need to be effectively implemented. Though the possibility of reducing the prescribed limit of workers would be a matter of detailed study, the existing provision should be implemented in full. The kindergarten and nursery classes may also be provided for children upto the age of 5 years in the creches.

(Para 24.13)

CHAPTER XXV

Recreational facilities

228. More attention needs to be paid to the provisions of recreational facility and the rules in this regard should be better implemented.

(Para 25.1.10)

Educational facilities.

229. The standard of educational facility provided in various plantations is neither uniform nor adequate. As the provision of educational facilities to workers' children in plantations is a statutory obligation, the planters should provide these facilities adequately and should also maintain requisite standards at par with similar institutions wherever this is not so in their respective States. The State Government should also ensure that educational facilities in plantations are effectively provided to workers' children by the employers.

(Para 25.2.11)

CHAPTER XXVI

Housing

230. The housing programme has fallen short of the requirements and as such it needs to be accelerated.

(i) In view of the reported response from the planter adequate funds should be made available under the Plantations Labour Housing Scheme so that the employers accelerate the implementation of the Housing provisions.

(ii) Provisions of stipulated number of houses in a given year should be strictly enforced. In case where the employers find themselves unable to fulfil this obligation for reasons beyond their control and for which they obtain the exemptions from the State Government, they should make efforts to cover the backlog of the preceding year, according to a phased programme.

(iii) The State Governments should help the planters to secure essential building material at reasonable rates.

(iv) The standard of houses already laid down in the rules for housing under Plantations Labour Act for workers should not be subject to frequent revisions. Even where such revision is necessitated, the houses that have already been built as per earlier specifications should be deemed to conform to specifications.

(Para 26.25)

231. Section 15 of the Plantations Labour Act may be amended suitably to provide housing facility to such workers who may wish to reside in the estates but do not reside within a distance of 5 kilometers from the periphery of an estate.

(Para 26.27)

CHAPTER XXVII

General (Other Facilities)

232. The rules relating to the provisions of canteens, creches, schools and recreation have not been uniformly enforced by all the States for various reasons. The Government of India may undertake a comprehensive review of the need for such amenities as contained in these provisions by a tripartite machinery and enforce such of the amenities as are necessary and practical without delay. Wherever the provisions of the Act cannot be enforced as such, it may be advisable to bring into being some suitable alternative measures to meet the spirit of the provisions which have so far been held in abeyance for some reason or the other.

(Para 27.2.1)

233. (i) The Government of India may evolve a pattern of reporting statistical information in consultation with the State Governments on the implementation of the Plantation Labour Act so that necessary detailed information can be collected and presented uniformly for the Plantations States.

(ii) The detailed study of labour conditions in plantations undertaken by the Labour Bureau, Simla, needs to be repeated atleast once in 5 years. The first Survey conducted in 1961-62 can serve as a benchmark for measuring the improvements over a period of time.

(Para 27.2.2)

Need for Sociological Study of Labour Management Relations.

234. A sociological study relating to the impact of close association between the workers and management in plantations on the industrial relations and productivity, etc. may be conducted. This study may throw considerable light on the behavioural pattern of the employers and workers in an important industry, which may be useful for other industries as well.

(Para 27.2.3)

CHAPTER XXVIII

Non-Statutory Welfare Amenities.

235. The workers' organisations could make considerable contribution to the welfare of the workers with better financial resources or with grants from State Governments or Commodity Boards.

(Para 28.6)

Tea Board.

236. The welfare activities of the Tea Board do serve a useful purpose. But due to paucity of funds, their activities are limited in nature.

(Para 28.8)

Coffee Board.

237. More welfare activities can be undertaken by the Coffee Board provided additional funds are made available by the Government.

(Para 28.9)

Rubber Board.

238. With more liberalisation of the funds, a wider range of welfare activities could be taken up by the Rubber Board and the possibility of liberalising allocations may be examined by the Government of India.

(Para 28.10)

CHAPTER XXIX**Implementation and enforcement including Legislation.**

239. The Plantations Labour Act should be suitably amended so as to provide for notification of changes with regard to ownership and acreage.

(Para 29.5)

Penal Provision.

240. Instead of providing maximum penal punishment under sections 36 and 37 of the Plantations Labour Act, the same be suitably amended so as to provide for maximum as well as minimum punishments under the Law. In the case of continuing defaults of Factories Act, it has been suggested that a minimum penalty of Rs. 500/- and a maximum of Rs. 3,000/- should be fixed. The same yardstick may be applied in case of violations of the Plantations Labour Act.

(Para 29.6)

Medical Inspector

241. The Ministry of Labour, Employment and Rehabilitation of the Union Government should consider the appointment of medical inspectors exclusively under the Plantations Labour Act and also amend the Act for the purpose.

(Para 29.7)

Tripartite Advisory Bodies.

242. The State Governments may consider the setting up of Tripartite Advisory Bodies as may be found necessary to ensure proper enforcement of the various welfare provisions of the Plantations Labour Act.

(Para 29.8)

CHAPTER XXX**Additional Welfare Amenities.**

243. Additional welfare amenities should be provided and administered by the respective Commodity Boards by suitable enhancement of the existing levy. The additional welfare amenities to be provided over and above those contemplated under the Act are as under:

- (i) Provision should be made for distress relief and payment should be made to the workers in case of extreme hardships

like long illness or other extraneous circumstances such as death of bread earner, natural calamity like fire, flood etc.

- (ii) It is essential that sufficient medical and preventive welfare facilities are provided to all the plantation workers adequately. This should also include suitable arrangements to provide medical treatment for infectious, occupational and complicated diseases. It is reported that arrangements exist in this regard in Southern plantation States. It is necessary that such adequate medical amenities are made available to plantation workers in all the plantation States.
- (iii) High priority to Family Planning Programme, implementation of Maternity and Child Health Facilities already provided in the Maternity Benefit Act and assistance for provision of protective food to expectant and nursing mothers, infants and children wherever not already provided, should be made.
- (iv) Sight-seeing tours should be organised for the plantations workers.
- (v) Arrangements should be made to provide better sanitary facilities to the workers in the plantation areas.
- (vi) Arrangements should be made to provide for education of adult workers in the plantation areas.
- (vii) Arrangements should be made to provide a film library and mobile van so that the film shows could easily be organised in the plantation areas.
- (viii) A library and reading room facility should also be provided to the workers in plantation areas.

Phased Programme.

The provision of additional welfare amenities needs to be phased out depending upon the priority and needs of workers in different plantations States. The phased programme should be reviewed periodically say between 2 to 5 years. The implementation of these amenities also should be reviewed at least annually by the State Tripartite Bodies.

(Para 30.2)

CHAPTER XXXI

244. Plantations Labour Act should be extended progressively to such plantations as are not covered under the Act, to the extent administratively practicable. The question of determining the extent to which the Act should be extended to the plantations not covered under it should be left to the Government of India which might set up a special committee to review the extension of the said Act periodically.

(Para 31.4)

Special Wings of the Labour Welfare Boards.

245. As the progressive extension of the Act would involve considerable time, it is necessary that some suitable agency should be found to look after the requirements of plantation workers.

Therefore, it is necessary to establish separate wings in the proposed State Statutory Labour Welfare Boards exclusively to look after plantation workers.

(Para 31.11)

246. The sources of finances for the proposed plantation wings of the welfare board can be as under :—

- (i) Grants given by the Commodity Boards for some of the welfare amenities for workers and their children, namely, education and medical facilities may be diverted towards the Fund instead of the State Government;
- (ii) Income accruing on account of various local taxes imposed by Panchayats on plantations areas be diverted to this Board;
- (iii) As in the case of Assam Tea Employees' Welfare Fund, unclaimed wages and fines should also form part of the finances of this Board;
- (iv) The State Governments should earmark some fund out of their plan allocation for this Board;
- (v) Some levy be charged by way of contributions from employers and workers in uncovered estates. The rate of contributions may, however, differ between employers and workers.
- (vi) If all the above sources combined together still fall short of the financial requirements of the activities undertaken by the proposed welfare board, the possibility of enhancing the levy of cess under respective commodity enactments by a paisa or two, for which there is already a provision in the said Acts, may be examined by the Central Government.

(Para 31.12)

CHAPTER XXXII

Definition of Agricultural Labour.

247. Agricultural labour be defined as one whose principal means of livelihood is wage income arising out of farm labour and other allied activities,

(Para 32.14)

CHAPTER XXXIII

Review of existing Welfare Amenities.

248. A section of agricultural labour cultivates small strips of land. Efforts should be made to convert them into viable farms, just as assignment of land is made to landless by allotment of cultivable waste lands wherever available and out of lands becoming surplus due to enforcement of ceiling on land holdings. They may also be given credit facilities for sinking shallow wells.

(Para 33.17)

Rural Housing.

249. (i) A separate agency exclusively for organising and administering rural housing programme be set up at State level, with a view to implementing the scheme on an extended scale and also to

effectively spend the Plan allocations under the Scheme.

(ii) There is also a need to conduct a survey and locate the area where the shortage of accommodation is acute.

(iii) In all important areas where concentration of labour exists or is likely to develop should be identified. House sites in all such areas may be developed as advance programme for rural house building. Government may also think of constructing labour housing colonies in areas suffering from acute shortage of accommodation. The houses so constructed may be given on nominal rent.

(Para 33.18)

250. There is a positive need for gradually increasing the outlay under rural housing programme with accent on 'housing' for landless labour within the limits of the available resources in the Plan.

(Para 33.19)

251. Attempts should be made to help in the organisation of Housing Co-operative Societies wherever feasible for agricultural and rural labour.

(Para 33.20)

Medical and Health Facilities

252. Health Education in rural areas should be given high priority by Panchayats and other social groups.

(Para 33.23)

253. Measures may be taken to augment existing medical facilities in the rural areas by providing medical services through Unani, Ayurvedic, Siddha and Homoeopathic systems of medicines for primary centres.

(Para 33.24)

254. With an all-out effort to get the doctors to the rural areas and with the integration of modern indigenous systems of medicines on curative side and Yoga and Nature Cure on the preventive side, considerable improvement could be made to the services rendered to the agricultural and rural labour through the Primary Health Centres in course of time.

(Para 33.25)

Rural Water Supply.

255. There is need for augmenting the resources to provide the basic welfare amenities like drinking water facility. It is essential that this basic programme is augmented by Shramdan organised on a national level through Zila Parishads, Panchayats, etc., all over the country.

(Para 33.29)

Educational Facilities.

256. Institutional facilities for secondary education should be located at places where there is concentration of students seeking higher secondary education.

(Para 33.33)

257. The timings and vacations of the primary and middle schools in the rural areas may be adjusted to suit the requirements of the seasons and

areas with a view to facilitating the children of agricultural labour to take advantage of the schooling facilities.

(Para 33.34)

258. As the agricultural labour, especially the landless class, are economically handicapped on account of the lack of regular source of income, provision should be made by the State Governments to give scholarships to the children of landless agricultural labour for higher agricultural education and for agricultural biased vocations.

(Para 33.36)

Adult Education.

259. Rural Education programme should be suitably provided to give an occupational bias with a view to enabling the workers to get equipped so that the objectives of better productivity and efficiency in the handling of the agricultural labour and allied operations could be achieved.

(Para 33.38)

260. Attainment of effective co-ordination amongst technical and administrative services at block level is still lacking. There should be an integrated approach towards economic, cultural and social problems of the rural population. For this, the technical services in rural areas and the agencies controlling these services have also to be adequately strengthened and their functioning streamlined.

(Para 33.41)

261. There is a need for toning up of the administration and the existing machinery with a view to enabling it to cope with the economic and social responsibility in extending the welfare amenities to rural and agricultural labour.

(Para 33.42)

262. The administrative unit at District, Block and Village level, should be strengthened in terms of financial resources and trained personnel to enable them to play an active role in improving the welfare of rural population including agricultural and rural labour.

(Para 33.43)

263. It is desirable to have an integrated set up which may at the village level co-ordinate the work of welfare amenities so that there is no overlapping between functionaries nor any imbalance in the provision of certain welfare amenities, to certain sections of people or in certain areas, to the detriment of other areas which may languish for want of these amenities due to lapses and disproportionate expending of funds.

(Para 33.46)

CHAPTER XXXIV

WELFARE AMENITIES FOR AGRICULTURAL LABOUR

Labour Pool

264. Labour pools should be set up on pilot basis in some of the areas, where there is concentration of agricultural labour, whose main livelihood is wage-income, and where the incidence of unemployment is considerably high. In the initial stages only those areas may be selected where the Rural Man-power Programme have

been initiated in the past. If these experiments prove a success, such pools may be set up at Tehsil, Taluka or Block levels in all the States.

(Para 34.9)

265. The scope of the Rural Man-power Programme should be widened, with a view to including the construction of buildings for schools, dispensaries and houses in the rural areas. This would help in the creation of the welfare assets of the community and would also go a long way in meeting the accepted needs of the labour in the rural areas.

(Para 34.10)

266. The agricultural and rural labour cannot be expected to remain silent spectators of various fringe benefits and welfare amenities that are being enjoyed by their counterparts in industry. It is, therefore, essential that whatever be the administrative difficulties of identifying the agricultural and rural labour and also of administering welfare amenities for such persons, endeavour should be made to make a beginning to lay down a basis minimum which must be ensured to this class of Labour.

(Para 34.13)

267. The following amenities should form the base of the welfare amenities, that must be provided to agricultural and rural labour in course of time according to a phased programme and with due regard to the local needs and circumstances:

- (i) Supply of drinking water;
- (ii) Provision of health and medical facilities;
- (iii) Supply of protective equipment to ensure safety;
- (iv) Provision of house-sites free of cost and cheap houses on easy instalments or houses on nominal rent;
- (v) Free education facilities for the children of landless labour; and
- (vi) Rest shelters at places of work.

(Para 34.17)

Statutory Responsibility.

268. A farm employing five or more agricultural labour be made statutory responsible to provide basic minimum welfare amenities like drinking water, first-aid, rest shelters, and protective equipments including safety appliances to the agricultural labour. It is also recommended that a suitable all-India Enabling Legislation should be brought into being for the purpose urgently.

(Para 34.23)

269. There should be a proper re-orientation and training for farm labour to handle the sophisticated machinery and chemicals which are now playing an increasing role in agricultural production.

(Para 34.25)

Safety Code.

270. There is need for providing some built-in safety devices in the farm machinery. In addition, audio-visual aids should be progressively used to create safety consciousness among farm workers.

(Para 34.26)

271. The State Government may be empowered to frame appropriate rules for detailed implementation of the provisions relating to safety on all farms using machinery and poisonous chemicals irrespective of the number of labour employed by those farms, if necessary.

(Para 34.28)

Extension of the provisions of Workmen's Compensation Act.

272. Either the provision of the Workmen's Compensation Act, 1923, be extended to agricultural industry or similar provision should be made in the proposed All-India Enabling Legislation, so as to make it exclusively applicable to agricultural workers.

(Para 34.29)

Welfare Centres in the Rural Areas.

273. (i) Labour Welfare Centres may be set up on, pilot basis in the initial stages in all the States, wherever settlement schemes have been taken up or are proposed to be taken up for settlement of landless labour;

(ii) The entire expenditure on such welfare centres for an initial period of five years be borne out of the Plan Funds and subsequently, an element of subsidy and grant be continued.

(iii) The settlement which have either been established or are being planned may be developed into model villages where all amenities like proper houses suiting the local requirements, cultural facilities including audio-visual education and film shows, educational institutions including child care centres and kindergarten or nursery schools, health and family planning, with arrangements for training of crafts, including training in the methods of agriculture, are provided.

(Para 34.34.)

CHAPTER XXXV

ENFORCEMENT MACHINERY

274. There should be a specialised agency for ensuring provisions and implementation of the proposals made by the Committee in the Report. The machinery has also to work in close liaison with existing organisations that are operating in the field of rural areas as a whole for providing various types of welfare amenities.

(Para 35.4)

275. Enforcement machinery in the State should be suitably strengthened to extend its field of activity in the rural areas to enforce such measures as may be introduced for the welfare of the rural and agricultural labour. A separate Rural Inspectorate Wing may be created in each State for the purpose. In the plantation States, this work should be entrusted to Plantation Inspectors with suitable increase in staff.

(Para 35.6)

PART VI

CHAPTER XXXVI

FAMILY PLANNING

276. The propagation of family planning amongst the industrial workers is an essential requisite for the well-being of the workers. Family

Planning Programme for industrial workers, therefore, should be made a part and parcel of labour welfare activities by the employers.

(Para 36.9)

277. For the implementation of the programme no force, coercion or compulsion are to be used and the programme is to be implemented through a long-term education and motivation of industrial workers in regard to family planning on a sustained basis.

(Para 36.10)

278. Central and State Government Schemes should give recognition (where not already given) to fully equipped and properly staffed hospitals run by employers for purposes of giving financial assistance in respect of centrally sponsored schemes of family planning so that no additional financial burden is caused on employers.

(Para 36.24)

279. Many of employers have been providing additional incentives for their employees participating in family planning programme. It is suggested that other employers also emulate this example.

(Para 36.25)

280. Restrictions on maternity benefits as a means of discouraging improvident births will be misunderstood as a means to deprive the workers of the benefits and will be contrary to the purpose of motivating the workers to voluntarily accept the family planning programme. No such restriction be introduced.

(Para 36.33)

281. Complete integration of family planning with maternity and child health programme be effected where it has not been done so far by the State Governments. The State Governments should also provide regular maternal and child health workers and health educators to visit work place and residential areas frequently to give proper education to the workers and their families and to dispel wrong impressions about various family planning devices on the physical capacity and mental efficiency of the workers.

(Para 36.34)

282. The Employers' Associations like Mill-owners' Association, Ahmedabad, Bombay Mill-owners' Association, United Planters' Association of Southern India, Indian Tea Association and such other bodies as are already undertaking active interest in propagation of family planning amongst their workers, should be recognised by the Government of India as voluntary association for receiving direct assistance from the Government and also for coordinating the family planning activities in respect of their constituent units.

(Para 36.38)

283. Studies should be conducted among industrial workers and publication of low cost periodicals and other means of communication (in local languages) to disseminate information based on such studies on family planning to remove the doubts of the people on the bad effects of operations, treatment etc., should be brought out by leading employer's associations and trade unions.

(Para 36.40)

284. The success of the Family Planning Programme hinges to a considerable extent on the

direct participation by workers and workers' organisations. As such workers' organisations should come forward to play a positive role in propagating family planning programme. All assistance should be rendered by the Central and State Governments and managements.

(Para 36.42)

285. At present the individual units seem to be confronted with the difficulty in getting proper and timely grants for extension of family planning activities. Such difficulties could be resolved if a lump-sum grant is given to some Central Agency or Coordinating Committee which may be entrusted with the task of distributing the grants taking into account the needs of the individual units. With the introduction of new measures to augment services and the supply of contraceptives the above difficulty may not be so acute.

(Para 36.43)

286. The services of such male and female workers as have succeeded in limiting their families through family planning methods be utilised for doing propaganda work amongst industrial workers, and emphasis should be laid on careful selection of such workers.

(Para 36.44)

287. In areas which are not covered by family planning service and those located at out of the way places, mobile services be provided by the State Governments in consultation with leading employers' and workers' organisations.

(Para 36.46)

288. In the case of coal mines, a good deal of family planning activity is undertaken by the Coal Mines Labour Welfare Fund. This should be further intensified. Besides, the facilities already available in the regional hospitals opened by the Fund, lady health visitors be deputed in coal mines to intensify propaganda campaign and popularise family planning programme. Similar attention should also be paid to even non-coal mining establishments by the proposed Common Miners' Welfare Fund. The family planning clinic run by the Coal Mines and Common Miners' Welfare Fund should also cover the non-working and village population within their respective areas. Facilities provided by the Fund should supplement the services provided by the State Governments.

(Para 36.54)

289. In order that realistic programme suited to local situation is developed and all available resources are mobilised to the maximum, there is need to develop the health and family planning services in a coordinated manner.

(Para 36.55)

290. The impact of motivational work amongst rural and agricultural labour should be periodically assessed not only for the rural community as a whole but also for the different groups in the country. This will give a clearer indication as to which are the groups which have not been favourably responding to family planning programme in rural India. Such groups would need more intensive attention by the rural organisation as well as by the State Government.

291. The assistance of Panchayats and local leaders should also be utilised extensively specially in rural India to educate agricultural and rural

labour to adopt the norm of small family size.
(Para 36.58)

292. Measures of social policy need further enquiry but even at present social climate should be created to increase the age of marriage of girls and liberalisation of abortion and the need for legislative measures should be considered.

(Para 36.59)

CHAPTER XXXVII

COOPERATIVE AND SAVING FACILITIES

293. Time is now ripe to consider the desirability of implementing the decision of the Standing Labour Committee with regard to legislation for the opening of the fair price shops.

(Para 37.19)

294. The limit of 300 workers laid down under the existing Scheme for opening a fair price shop/consumer cooperative store should be progressively reduced so as to cover establishments employing 200 or more workers provided the turnover of the fair price shops/consumer cooperative stores, is adequate and workers do not get regular and cheap supplies of essential items of daily use from other well-organised private shops which may be located in the vicinity of the establishment and are run on competitive basis or can be controlled by the employers.

(Para 37.21)

295. Instead of opening these stores in the precincts of industrial establishments, fair price shops/consumer co-operative stores, especially in the case of Metropolitan and other large cities, may be opened in residential areas, if the workers so desire. Where large workers' housing colonies have come up and which are away from the main urban settings, fair price shops may be set up by individual establishments or by a number of establishments jointly where workers of these establishments reside in a colony.

(Para 37.23)

296. In order to popularise the fair price shops/consumers' co-operative stores, State Governments should take effective steps including taking assistance from Central Government to ensure regular and adequate supplies of essential articles of food-grains to these institutions.

(Para 37.26)

297. The cooperative credit societies have not been formed to a perceptible extent in industrial establishments. It is, therefore, necessary that considerable attention should be paid to the propagation of this movement among industrial employers and workers.

(Para 37.31)

298. The employers should encourage the formation of such cooperative societies in their establishments. It is hoped that it would be found possible by all such managements as employ 200 or more workers to have such credit societies in their establishment.

(Para 37.36)

299. (i) Legislation is not necessary to compel employers to provide funds to meet expenditure on furniture, accommodation, staff, etc. of the cooperative credit societies. It is hoped that the managements would provide such facilities on their own.

(ii) The number of persons seeking loans from cooperative credit societies is much larger than the number of persons who invest money either in share or in compulsory or voluntary deposits with cooperative credit societies. Managements may help such societies in initial stages by giving advances at normal rates of interest for long period.

(Para 37.37)

300. Excessive restrictions should be relaxed in order to encourage members to invest any amount of money in shares and thereby increase the capital base of cooperative credit societies.

(Para 37.38)

301. In order to enable large number of workers to participate in the share capital of the co-operative credit societies, workers may, wherever necessary, be allowed to pay share money in instalments as provided in the Cooperative Societies Act.

(Para 37.39)

302. The Central and State Governments should take suitable steps to remove this handicap and propagate amongst industrial workers the utility and need for not only forming such societies but also running them well. This could be achieved in a number of ways, namely by bringing out suitable literature on the subject, by holding seminars and also by arranging study tours of workers drawn from good cooperative credit societies functioning in different parts of the country.

(Para 37.40)

CHAPTER XXXVIII

DISTRESS RELIEF AND CASH BENEFITS

303. Wherever facilities in respect of Distress Relief and Cash Benefits do not exist, employers and employees concerned should work out a mutually acceptable formula for providing such benefits to the workers.

(Para 38.13)

304. The State Labour Welfare Boards, when set up, should also earmark a portion of their funds for giving assistance to small employers as grants for distress relief to their workers. This will be in addition to the contribution that the employers would themselves make. This will apply to establishments employing 50 or less workers.

(Para 38.14)

CHAPTER XXXIX

EDUCATIONAL FACILITIES

305. There should be an all-out effort to eradicate illiteracy with the least possible delay, and all agencies in the field i.e., State, employers' and workers' organisations should coordinate their efforts to achieve this solemn objective.

(Para 39.17)

306. The problems of adult education and eradication of illiteracy being stupendous, it should be entrusted to a separate body altogether.

(Para 39.19)

307. The Scheme which steers clear of all discriminations and yet provides necessary incentive to workers for adult education is favoured. The

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details of such incentive can be left to the autonomous agency which may be set up for the purpose.

(Para 39.20)

308. The recommendations of the Panel of Experts on Literacy among industrial workers set up by the Planning Commission in 1964 regarding the eradication of illiteracy amongst workers and their families be implemented with a view to obtaining the envisaged objectives.

(Para 39.21)

309. State Governments must come forward to open more schools in areas of industrial concentration and they should also consider the possibility of relaxing their rules even at places where the number of students fall below the minimum number prescribed for the opening of such schools.

(Para 39.38)

310. Where provision of educational facilities is the statutory responsibility of the employers to their employees, the educational cess so collected from the concerned areas should be reimbursed to those establishments to enable them to enhance their educational facilities.

(Para 39.39)

311. It would lead to better man-management relationship if industrial establishments take more effective and sustained interest in encouraging workers' children to enhance their educational attainments.

(Para 39.41)

312. Creation of a Welfare Fund would go a long way and also augment the resources of the employers in providing educational facilities to workers' children. The Fund and employers can pool their resources together to provide adequate educational facilities for workers' children.

(Para 39.43)

313. As the schools are primarily for the benefit of the children of the workers' the trade unions should also actively participate in the efficient running of the institutions.

(Para 39.44)

314. The employers and the trade unions may jointly undertake to provide scholarships to meritorious children of workers. If necessary, funds could be raised through contribution by workers and employers to a common Fund made for this purpose at the unit level.

(Para 39.45).

315. The State Governments should formulate an integrated plan to provide primary and secondary educational facilities, wherever any dispersal of industries is contemplated by the State Governments. Where these institutions cannot be opened, the State should run subsidised transport services for the benefit of the workers' children to enable them to avail of these educational facilities adequately. The employers should also consider the possibility of providing these facilities voluntarily.

(Para 39.46)

CHAPTER XL

RETIRAL BENEFITS

316. Gratuity has been universally recognised as an essential element of labour welfare. However, in practice, it lacks uniformity. Neither the employers discretion nor agreements nor even awards have resulted in evolving any norms or uniform basis for payment of gratuity. It is necessary that in this context norms should be laid down at the National level. This could only be done through legislation. For this an All-India Enabling Legislation be introduced to ensure that all industrial workers receive the retiral benefits of gratuity. (Para 40.72)

317. While computing the quantum of gratuity the element of dearness allowance should also be taken into consideration along with basic wages. (Para 40.74)

318. Both gratuity and old age pension should not be universalised in the present context of Indian economy in view of burdens that the industry has to bear for variety of reasons. Keeping in view the conditions of an Indian worker who stands in need of a lump-sum amount at the time of retirement, gratuity is a better retiral benefit than the old age pension. However, the possibility of granting old age pension cannot be ruled out. Such concerns as are already giving old age pension should continue to do so. (Para 40.75)

319. The Employees' Provident Fund Act, 1952 at present is applicable to such establishments employing 20 persons and having 5 years' standing or employing 50 or more persons and having 3 years' standing be extended progressively to cover all workers irrespective of the size of undertaking and nature of industry. (Para. 40.89)

PART VII

CHAPTER XLI

WELFARE AMENITIES FOR WORKERS IN SMALL SCALE AND COTTAGE INDUSTRIES

Bidi Industry

320. The finances for providing welfare amenities to Bidi workers, should be organised by levy of a cess of 5 paise per thousand Bidis. (Para 41.41)

321. Provision of welfare amenities to Bidi and Cigar workers should be administered by the Statutory Labour Welfare Boards. (Para 41.43)

Coir Industry

322. The finances needed for the execution of welfare schemes should consist of (a) levy of a cess on 25 paise per thousand retted husks and on finished coir products; and (b) suitable grants from the Central and State Governments concerned. (Para 41.58)

Fishing Industry

323. Fishing is one of the important industries in India. The importance of welfare has been

recognised by these coastal States and different schemes evolved but they hardly touch the fringe of the problem and even the schemes which have been evolved do not go far. A lead should be taken in the matter by the Ministry of Agriculture at the Centre who should in consultation and co-operation with State Governments evolve model rules or lay down guidelines for different States to follow in the field of welfare amenities and also for enabling cooperative societies to take greater interest in the provision and administration of welfare amenities. There could be a Central legislation on the pattern of other Central legislations with powers to enable the States to frame scheme and rules thereunder suiting local conditions and requirements at places wherever there is deep fishing through high powered boats employing sizeable number of fishermen. (Para 41.83)

324. The Central as well as the State Governments should earmark a part of Plan funds for provision and development of welfare amenities to fishermen. To augment these funds, it is desired that a nominal cess either per kg. or per tonne on the fish sold by Cooperative Societies or otherwise be levied by the State Governments. These funds should be administered either by the Department of Fisheries in each State who are directly connected with the development of fisheries so that the welfare programme are integrated with the development programmes. Alternatively welfare amenities to fishermen can also be provided by the statutory Labour Welfare Boards already suggested by us elsewhere in this Report. (Para 41.83)

Salt Industry

325. A definite and sizeable portion of the cess collected under the Salt Cess Act, 1953 be set apart for the welfare of salt workers. This amount should either be given to an autonomous body which should be created on an all-India basis for providing welfare amenities to salt workers or allocations be made out of this fund to the Statutory Labour Welfare Boards. (Para 41.99)

326. Salt is a Central subject. The Government of India, in consultation with the State Governments, should evolve guidelines for providing the pattern and extent of welfare amenities to salt workers. (Para 41.100)

Leather Industry

327. Fund should be found by levying a cess on total production of the leather industry or on the wage cost, whichever is easily realisable and can be determined in more precise terms. The State Trading Corporation should make it binding on its dealers that a particular percentage of their profits may be diverted towards the proposed welfare fund. (Para 41.113)

328. The fund so collected be placed at the disposal of the Statutory Labour Welfare Board. (Para 41.114)

Glass Bangle

329. Workers employed in glass manufacturing industries be provided with basic minimum welfare amenities. A suitable levy ranging say between 3 to 5 per cent on the total value of production may be imposed. The money so collected may be

placed at the disposal of the Statutory Labour Welfare Boards which should arrange to provide basic minimum welfare amenities to workers in this industry.

(Para 41.130)

330. Provision of statutory welfare amenities to glass workers as are employed in establishments covered under the Factories Act should be ensured by proper and effective enforcement of the obligations of the employer.

(Para 41.131)

Cashewnut Industry

331. Some agency has to be created which should provide non-statutory welfare amenities to cover establishments and statutory as well as non-statutory welfare amenities to such factories as are not covered by Factories Act. This Statutory Labour Welfare Boards proposed to be set up in each State should be entrusted with the responsibility of providing welfare amenities. In order to enable them to augment the sources for providing amenities to the workers a cess at the rate of Rs. 2 be imposed in every case of cashew exported from India.

(Para 41.139)

332. To augment these resources some plan allocation may also be made annually from the plan funds to enable the welfare boards to undertake the activities for cashew workers.

(Para 41.140)

Industrial Estates

333. Wherever there is a sizeable concentration of small units, capital cost of welfare amenities like canteens etc. be borne by the State or by the authority concerned which organises the estates, and these amenities be run on cooperative lines. Appropriate governments be empowered to permit the establishment of joint Welfare Schemes for smaller plants located in a compact area/industrial estates.

(Para 41.145)

334. Housing programme should be considered as part of the industrial estates project itself. Land for building the workers' houses near the estates may be developed and allotted to tenant, employers or workers' cooperative housing societies.

(Para 41.146)

Progressive Extension of E.P.F. Act, 1952.

335. The Employees' Provident Fund Act, 1952 be extended progressively to cover all workers irrespective of the size of undertaking and nature of industry. For achieving this target, the existing limits with regard to number of workers and standing of establishments may be brought down progressively to cover all establishments irrespective of the size of the industry.

(Para 41.152)

Extension of E.S.I. Act, 1948

336. The need to cover such establishments as employ five or more workers has been accepted by the E.S.I. Review Committee. The E.S.I. Corporation should take steps to ensure that this target is achieved expeditiously.

(Para 41.154)

337. Time has come when the Government of India, in consultation with the State Governments, have got to evolve a blue print for laying down guidelines for the provision of the nature and extent of welfare amenities which must be provided to workers in the unorganised sector of industries. The administrative and financial difficulties are *prima facie* bound to be many. We are confident that if the Government of Maharashtra could bring on the anvil of legislation a comprehensive enactment even for the unprotected and self-employed categories of workers involving loading and unloading operations, it is not difficult to bring into being a new enabling legislation to provide welfare measures for millions of workers working in unorganised industries and to find finances for the same. It is necessary that such a vital issue should be thoroughly gone into by a group of experts to work out the feasible projects of welfare amenities in greater details.

(Para 41.155)

PART VIII CHAPTER XLII

STATUTORY WELFARE FUNDS

338. The importance of constituting the welfare funds for workers in other mining industries like manganese, dolomite, limestone, etc., has been recognised by the Planning Commission. At present welfare amenities have been provided only in respect of coal, mica and iron ore workers. With a view to removing this disparity so far amenities for mining workers (other than coal, mica and iron ore mine workers) are concerned, the Committee, on careful examination of the issues involved decided to recommend constituting of a 'General Miners' Welfare Fund for welfare of miners engaged in other mineral.

(Para 42.13)

339. Keeping in view the difficulty in organising industry-wise labour welfare funds and the cost of administering such welfare funds (if constituted on industry-wise basis), it would be better if one co-ordinated agency at the State level, is entrusted with the responsibility of administering a welfare fund and for implementing a welfare plan (which may be laid down in the law) for facilities and amenities other than those provided for in the Factories Act, 1948 and the Plantations Labour Act, 1951, for workers of factory establishments outside factory premises as well as for such plantation labour as are not covered by the Plantations Labour Act, 1951, both inside and outside the plantations.

(Para 42.36)

340. The Welfare Centres should be open to all the workers whether employed in factories or in shops or commercial establishments, and wherever these centres are found to be inadequate *vis-a-vis* workers requirements, their number should be suitably increased.

(Para 42.41)

341. In order to ensure full utilisation of welfare centres by the workers, tripartite bodies may be constituted for administration of each welfare centre.

(Para 42.42)

342. The sources of finances for welfare funds may be as follows :—

- (i) All fines realised from the employers.
- (ii) Fines imposed on employers by courts for continuous default in the implementation of labour laws.
- (iii) Unpaid accumulations ; these include unpaid wages, bonus, gratuity and all other unpaid arrears.
- (iv) Any voluntary donations and contributions.
- (v) Labour Welfare Fund of any establishment duly transferred to Welfare Funds.
- (vi) Grants and subsidies from Central, State Governments, Municipalities and Local Bodies.
- (vii) Any sum borrowed by Welfare Fund.

(Para 42.44)

343. The following methods may be adopted to augment the finances of Statutory Welfare Fund :

- (i) Suitable tripartite annual contributions, say at the rate of Rs. 2/- per head from workers, Rs. 2/- per worker from management and Rs. 2/- from Government may be raised. The Central Government should pay 50% of the Government's contribution, the other 50% being paid by the State Government.

(ii) *Organisation of lotteries :*

The administrative agency of State Labour Welfare Funds should organise lotteries for collecting more funds. The proceeds so collected should be remitted to the welfare funds.

(iii) *Celebration of workers' welfare day :*

Workers' welfare day may be celebrated all over India, and the proceeds collected on the occasion should be credited to the welfare funds.

- (iv) The assistance of trade unions be sought for organising dramas, musical concerts, exhibitions, carnivals, etc. to raise money for the welfare fund, and the amount so collected be credited to the Statutory Welfare Funds.

(Para 42.45)

344. In order to provide in an organised manner, full welfare needs of workers and their families over and above that has already been provided by the employers, statutory Labour Welfare Boards be set up in each State/Union Territory. These Boards should be tripartite in character and autonomous in nature.

(Para 42.48)

345. Since some of the State Governments have already set up Welfare Boards or have enacted legislation for setting up statutory boards, the remaining States should also initiate suitable legislation in the matter. The Central Government may lay down guide-lines on such legislation for enabling the concerned States to take initiative in the matter and bring into being suitable legislation at an early date.

(Para 42.49)

346. Maximum utilisation of the funds so collected should reach the beneficiaries and the cost of administering funds should be kept lowest say 5% of the total collection of the funds.

(Para 42.50)

347. It is necessary that guidelines of welfare amenities and activities to be provided for and organised by the statutory welfare boards be laid down. The activities may be broadly classified as follows :—

- (i) Community and social education centres including reading rooms and libraries ;
- (ii) community necessities ;
- (iii) games, sports and other programmes of physical fitness ;
- (iv) excursions, tours and holiday homes ;
- (v) entertainment and other forms of recreation ;
- (vi) home industries and subsidiary occupations for women and unemployed workers ;
- (vii) corporate activities of a social nature ; and
- (viii) such other activities as would, in the opinion of the State Government improve the standards of living and promote health, family planning and social conditions of labour.

(Para 42.51)

348. Constitution of Statutory Welfare Boards in each State will go a long way in giving healthy diversions to the monotonous life of industrial workers and in filling a long felt vacuum in the life of their family members.

(Para 42.52)

PART IX

CHAPTER XLIII

ROLE OF WELFARE OFFICER

349. With the growth of the Personnel Departments in the industrial undertakings one of the officers of the Personnel Department can be deputed to look after the functions usually performed by the welfare officer.

(Para 43.57)

350. One of the basic functions of officers of a personnel Department is to know and understand, in all its ramifications, the nature and problems of the industrial psychology. It is, therefore, necessary that the Personnel Department must be staffed with the persons who have proper aptitude and qualifications for the jobs which they are expected to perform.

(Para 43.59)

351. The statutory provisions for the appointment of a welfare officer in factories, mines and plantations, were made to ensure that the managements appointed a person exclusively to look after welfare needs of their workers and also to help them in discharging their statutory obligations for implementation of statutory welfare measures. With the growing realisation of the need, place and role of welfare amenities, not only in the maintenance of happy industrial relations but also in the

enhancement of productive capacity of workers, by the employers themselves, it no longer seems necessary to appoint a welfare officer solely for the purpose of looking after welfare activities. Such Officer we feel, can be a part and parcel of the Personnel Department of the management. However, in order to ensure that the welfare amenities, statutory or otherwise, are provided and organised properly, the Committee recommends that managements should designate one of the existing officers of their Personnel Departments as welfare officer to fulfil the purpose of the law. The Committee further recommends that the managements should ensure that only such officers of the Personnel Departments are designated to look after the welfare activities as are properly qualified to hold these posts and have aptitude for welfare work.

(Para 43.62)

CHAPTER XLIV

YOGA AND NATURE CURE

352. (i) The Government of India in consultation with the public sector undertakings, leading employers' and workers' organisations, should evolve a plan for encouragement of Yoga on a pilot basis to state with in certain selected centres in the country ;

(ii) Financial assistance should be given from plan allocations by the Labour Departments of States/Union Territories to such employers' and workers' organisations as are willing to organise Yoga classes ;

(iii) In all States, bodies to impart training and education on Yoga should be set up. In the Ministry of Health and Family Planning Works, Housing and Urban Development a special cell should be set up to coordinate the activities of the State bodies and provide necessary guidance as well as financial assistance on the lines of other medical institutions such as Ayurvedic, Unani and Homeopathy etc.;

(iv) The proposed cell in the Minister of Health and Family Planning Works Housing and Urban Development should also undertake the work relating to collection of information and coordination of the existing research being done in the field of Yoga by various institutions, organisations etc., and also lay down suitable syllabus for the guidance of Yogic education.

(Para 44.27)

NATURE CURE

353. Nature Cure should be widely propagated and its methods be administered for the benefit of the general population, specially of the working class, in certain selected centres all over the country with plan funds.

(Para 44.49)

354. The proposed General Miners' Welfare Fund, right from the beginning, should give active and effective importance to the Nature Cure to popularise it amongst the workers employed in mining establishments.

(Para 44.50)

355. Effective steps should be undertaken to integrate Yoga and Nature Cure systems of treatments with the medical and health care programme of all industrial establishments as well as of the

primary health centres in rural areas for the benefit of rural and agricultural labour as well. Centres for Nature Cure and Yoga should also be established at various sanatoria and health resorts that have been already opened in the country and that may also be opened in future.

(Para 44.51)

356. The Ministry of Health, Family Planning, Works, Housing and Urban Development should lay down broad guidelines for Nature Cure in the curricula of medical institutes ; create a special cell for guiding and coordinating research work in Nature Cure all over the country and give financial and other supports to such institutions as undertake to provide medical and health care programme through Yoga and Nature Cure.

(Para 44.52)

CHAPTER XLV

PROBLEMS OF HANDICAPPED AND DISABLED WORKERS

357. The cash compensation provided to workers under various labour laws is not sufficient for the workers and their dependents in the event of any disablement. Therefore, there is a need to have special welfare measures for them.

(Para 45.3)

358. There should be well thought of comprehensive training schemes and proper placement of the disabled persons.

(Para 45.10)

359. Handicapped persons should be properly trained and assisted to enable them to secure gainful employment. In order to enable these handicapped and disabled persons to be absorbed in various jobs it is necessary that a net work of training institutes and placement service for trained handicapped personnel should be provided by the State Governments. Adequate grants-in-aid should be given to such institutes/societies as may run vocational training courses for handicapped persons.

(Para 45.11)

360. As a result of State Governments' efforts handicapped persons are being rehabilitated to some extent. These efforts should intensively be followed by the State Governments and employers may be persuaded to accept more and more disabled persons keeping in view the jobs that they can do.

(Para 45.13)

361. The Government of India and the various State Governments should conduct survey of the existing plants/factories/mines/commercial firms, etc., and identify jobs which may be performed by handicapped and disabled workers. On the basis of the survey and scientific evaluation a list of operations that can be performed by handicapped workers should be given wide publicity for the guidance of employers.

(Para 45.14)

362. Sheltered workshops for the benefit of handicapped persons should be set up at or near

the important industrial centres of the country. Facilities for training of handicapped persons at these centres should be provided. The disabled persons should be ensured minimum wages.

(Para 45.15)

363. Accidents which render workers physically disabled or handicapped, are a part of industrial activity and production of wealth. It is time that

the society which benefits from the production of wealth and economic activity should take care of the unfortunate victims of complicated and fast processes of production. Besides the State, social and philanthropic organisations could also play an increasingly greater role in training and rehabilitation of these persons.

(Para 45.17)



सत्यमेव जयते

ACKNOWLEDGEMENTS

We are grateful to the Government of India, the State Governments and the Union Territory Administrations and their Officers for their valuable co-operation in the preparation of his Report. We also thank the Labour Departments of all the State Governments and the Union Territory Administrations for arranging our tours to their respective States for recording oral evidence of the parties as well as for paying observation visits to various establishments and to the Press for their support. We are also grateful to Members of Parliament, Members of Legislative Assemblies, Employers' and Workers' Organisations, various Universities and Expert Bodies, Krishi Pandits and other eminent persons who very kindly sent replies to our Main and Supplementary Questionnaires and also tendered advice during oral evidence before us.

2. We are specially indebted to Shri Jaisukhlal Hathi, Minister for Labour, Employment and Rehabilitation, Government of India, for his guidance and support.

3. We are obliged to various Embassies/High Commissions in New Delhi, for the valuable literature supplied by them in response to our requests, which has been of considerable assistance to us in finalising our deliberations. We are also grateful to the Director, India Branch of the ILO, Director, Labour Bureau, Simla, and the Librarian of the Department of Labour and Employment, New Delhi, for extending to the Committee's Secretariat their good offices in making available literature relevant to our purpose.

4. A Report on Labour Welfare, which encompasses the entire life of the working class, from place of work to retiral benefits, is bound to be comprehensive. The mass of material, data statistics which had to be collected, processed and tabulated were enormous. They had to be obtained from published sources, as also from obscure places. All this required tremendous energy and patience. We express our appreciation of the hard work, skill, devotion and energy displayed by the Secretariat Staff, whose names find mention in the Annexure.

5. We shall be failing in our duty if we do not make a specific mention of the outstanding work, leadership, co-ordination and above all the courtesy and politeness which Shri G. S. Madan, Member Secretary, extended to all the Members of the Committee. With his initiative, experience, tact and dedication to duty, he, remarkably coped with the tremendous volume and complexity of the papers he had to deal with and prepared them in an orderly form for the consideration of the Committee. We are also grateful to him for rendering valuable assistance to us in the drafting of the Report.

6. The Employers' and Workers' Representatives as well as the representative of the Ministry of Railways on the Committee have signed the Report subject to the notes of dissent given by them. These notes are enclosed. To some of these notes the Chairman has appended his comments.

We hereby submit our Report to the Government of India for their consideration.


R. K. Malviya
Chairman

T. V. Anandan
Member

P. Basi Reddy
Member

Nature Ram
Member

S. N. Pande
Member

C. Balasubramaniam
Member

G. R. Venkatraman
Member

A. S. Nag
Member

M. S. Sabnis
Member

M. M. Rajendraw
Member

G. S. Gupta
Member

K. Bag Singh
Member

V. I. Chacko
Member

Prabin Goswami
Member

Phani Ghose
Member

K. G. Srivastava
Member

G. Ramaswamy
Member

B. L. Raina
Co-opted Member

G. S. Madan
Member Secretary

ANNEXURE

*Names of Officers and members of the Staff of the
Secretariat of the Committee on Labour Welfare
Government of India, in June, 1969*

TECHNICAL STAFF

Deputy Director

1. Shri Nardeo Singh.

Assistant Directors.

2. Shri Shyam Chandra.
3. Shri R. D. Aggarwal.
4. Shri Mahesh Chandra.
5. Shri K. B. Lall.
6. Shri A. P. Mathur.
7. Shri Shri G. N. Mishra.

Senior Investigators.

8. Shri R. Balasubramaniam.
9. Shri R. P. Suri.
10. Shri G. N. Bahuguna.
11. Shri S. N. Dhobal.
12. Shri S. M. Shinh.
13. Shri P. C. Agarwal.

Junior Investigators.

14. Shri R. N. Sharma.
15. Shri I. R. Malik.
16. Shri J. S. Anand.
17. Shri R. K. Sharma.
18. Shri K. C. Sharma.
19. Shri S. S. Bhasin.
20. Shri A. S. Singh.

Computers.

21. Shri R. L. Gupta.
22. Shri V. K. Jain.

ADMINISTRATIVE STAFF

P.S. to Chairman & Assistant Secretary.

23. Shri P. G. Mathur.

Assistants.

24. Shri A. S. Kaul.
25. Shri H. L. Gogia.

Stenographers.

26. Kumari Radhka Vajya.
27. Shri P. L. Ahuja.
28. Shri J. B. Kapoor.
29. Shri G. G. Mathur.
30. Kumari Pushpa Chawla.

Steno-typists.

31. Shri Jugal Kishore.
32. Kumari Mohinder.

Clerks.

33. Kumari Urmil Gauba.
34. Shri Nand Kishore.
35. Shri Rajpal Singh.
36. Shri A. K. Tripathi.
37. Shri Vinay Kumar.

Dafttry.

38. Shri Mast Ram.

Jamadar to Chairman.

39. Shri Chander Bhan.

Peons.

40. Shri Musafir Ram.
41. Shri Hari Prasad.
42. Shri Som Nath Dhingra.
43. Shri Darshan Singh.



* Personal Assistant to Member Secretary.

NOTE OF DISSENT

Submitted by

(Employers' Representatives)

1. V. I. Chacko.
2. Brig. K. Bag Singh.
3. G. S. Gupta.

1. As the Employers' Representatives on the Committee, it has been our hope that the Report could be put forward without dissent from our side. We, therefore, regret the need to have to enter a Note of Dissent.

2. It is our view, which we had on several occasions voiced within the Committee, that the range and standard of welfare measures that the Committee can propose must be in keeping with the capacity of our economy. However, this important factor was never taken in view while suggesting the proposals, which in our opinion, is very vital and as such it has resulted in not only adopting the ILO's definition of the concept of labour welfare, but even enlarge it to include social security measures as well. The ILO's definition may be satisfactory as a goal to be achieved, but it is wrong to attempt to translate straight away before our national economy is ready for it.

3. Through its questionnaire and individual approaches the Committee had tried to collect data on welfare expenditure in various industrial establishments. According to a note circulated to the members by the Secretariat it was stated that no clear picture emerged from the replies received from a few responding units in certain industries. Even if this is correct, we feel that additional efforts should have been put in to make a comparative study through other published sources or special efforts by contacting employers etc. to find the financial impact of welfare amenities that are already being provided in Public and Private Sector Undertakings. These in conjunction with the profitability of an industry, its market, its prospective development would have given a real picture of the industry's capacity to provide for certain amenities. In the absence of any attempt that have been made we are of the firm view that most of the recommendations are conjectural and as such without real substance.

4. Another point on which we could not agree was that existing welfare measures should always be extended, whatever the range and scope of existing welfare statutes affecting particular industries. Even though the terms of reference required the Committee to review the functioning of existing welfare schemes, it proceeded on the assumption that within its terms of reference, it could not reduce or amend any of the existing provisions and that in every case something more than what already existed should be recommended. Where nothing existed, some welfare measures were recommended, and additional benefits were recommended even where elaborate benefits were already available. This has resulted in plantations and mines being selected for additional welfare measures even though these industries are under statutory obligation to provide extensive welfare measures.

5. We agree that the essential amenities required within a factory or other work place to provide safety and to protect and safeguard the workers against ill-health, accidents and hazards, must be provided by all employers employing a reasonable number of workers throughout the year. The nature and extent of these facilities must necessarily vary from industry to industry depending upon the manufacturing process, nature of work, location, etc. Legislation should be kept down to provide these minimum requirements. For the rest, welfare amenities should be developed in accordance with the felt needs of the workmen, their habits and customs, the location of the establishment and other factors; as such, legislation in this behalf will be in-appropriate and uncalled for. Such additional welfare measures have to be developed on a voluntary basis and by mutual negotiations between industry and labour.

6. There should have been an attempt to differentiate between benefits which should be provided by the employers and which are part of the social benefits and overheads which the State has to provide to the community as a whole. Medical aid, housing, education, recreation, transport, etc. fall into the latter category and should not be required to be provided by the employer as a statutory obligation.

7. The Committee has dealt with the question of the appointment of Welfare Officers as if it is a welfare benefit. The Welfare Officer is only an instrument of the management to whom certain duties are delegated with regard to the provision of welfare measures under the different statutes. We consider that the managements are now sufficiently enlightened to decide for themselves as to how they should discharge their statutory obligations. We are, therefore, of the firm view that appointment of Welfare Officer as a statutory obligation in factories, plantations and mines, is no longer necessary and statutory provisions relating thereto should be deleted. Workers' representatives on the Committee have also expressed the same views and we have accordingly given a joint note of dissent on this issue.

8. In making the various proposals and the agencies for their implementation attempt has not been made to assess the financial commitment or the administrative problems involved. For example, if every employer is to be compelled to build houses for 20% of his labour, or to provide transport facilities to workers to and from work, the capital and recurring expenditure required would be colossal and beyond the financial capacity of most units. Apart from Labour Welfare Boards, other Statutory Boards have been proposed to provide and administer individual welfare benefits without comparing the problems and cost of administration with the resource that could be raised without placing an undue burden on industrial units. In agriculture, it has recommended that every farm employing 5 or more workers should be compelled by law to provide certain minimum

welfare amenities. Apart from the consideration whether such farms will be able to provide these amenities, no assessment as to how many such farms exist in the country and whether the law can be enforced on such units by any Governmental agency, without enormous cost, has been made.

9. It is a well recognised practice that minutes of a particular meeting of any organisation are not final unless they are ratified in a subsequent meeting of that body. We are sorry to observe that even this well recognised practice was not adhered to while sending recommendations to the National Commission on Labour. The Committee discussed recommendations on certain subjects. They were enclosures to the minutes. The minutes were presented for ratification later but the recommendations discussed by the Committee were sent to the National Commission on Labour before the minutes were ratified. Even if it is taken for granted that the recommendations finally drafted by the Secretariat of the Committee, after the Committee had discussed and made amendments, were faithful record of the discussions these could be sent only after ratification by the Committee. Secondly, in so far as our knowledge goes, the recommendations of any Committee or Commission appointed by the Government are never sent piecemeal. There are occasions where a Committee is asked to send an interim report followed by a final report. The interim report too is limited in scope and confined to certain specified aspects of the report of a Committee. In our case the recommendations were sent in instalments and members had never been given an opportunity to send any minute of dissent on different recommendations at that time. The Commission might have been under an impression that all the recommendations sent to them were unanimous.

10. We are also surprised as to why an independent Committee, constituted under a separate resolution of the Government, should have been made to send its recommendations to another body, of which it was not a Study Group.

11. We will now indicate our objections to some of the Recommendations of the Committee.

PART I

Chapter II :

We cannot agree that social security benefits are a part of welfare; as such, the Committee has exceeded its terms of reference in including social security measures within the definition of labour welfare.

Chapter IV :

After defining the basic minimum welfare in an expensive manner, the Committee has recommended in certain cases that these amenities should be universally applied to all establishments irrespective of their size or the number of employees employed. In certain cases the Committee has recommended that some of the benefits such as ambulance rooms, canteens, creches, etc., should be provided even in establishments employing labour below existing statutory limits. We cannot generally agree with these recommendations. It is true that from a purely human point of view, the need for some of the welfare amenities for a worker in smaller factory may be the same as one in a larger

factory. But equally important is the criterion whether the owner of a small factory, mine or plantation will be financially in a position to provide the particular amenity. In recommending the universal application of certain provisions irrespective of the size of the establishment gauged by its labour force and in certain cases selectively applying certain statutory provisions for smaller units, the Committee has overlooked the fundamental question of the capacity of the employer. Apart from this the smaller the factory and the labour force, the less complicated are usually the work processes. Therefore, the need for the elaborate measures necessary in a large factory may not exist in a smaller establishment.

In our view, the general extension of the existing statutory provisions to smaller units is not necessary and small units should be encouraged, wherever possible, to introduce welfare benefits on a voluntary basis.

PART II

Chapter V :

(1) In recommending an ambulance room with prescribed medical and nursing staff (Paras 5.33 and 5.34) under Section 45(4) of the Factories Act, even for establishments employing less than 500 workers, the Committee has overlooked the financial burden that would be placed on smaller units. To leave the discretion to the State Government to decide which are industries in which work is of a hazardous nature or which are capital intensive can lead to arbitrary exercise of the discretion. In our view, no changes in Section 45(4) of the Factories Act, 1948, are called for.

(2) The Committee has made several recommendations touching on the working of the Employees' State Insurance Corporation. The working of the E.S.I. Scheme was the subject of a comprehensive and searching enquiry by the E.S.I. Review Committee. We cannot, therefore, do anything more than commending the recommendations made by the Review Committee.

(3) In paragraph 5.58, the Committee has recommended provision of medical facilities on a joint basis by smaller units even beyond the facilities available under the E.S.I. Scheme. Smaller units cannot afford either the capital expenditure or the recurring cost to provide medical facilities of the type envisaged by the Committee; they should be required to bear no greater obligation than what they are required under the Factories Act and/or the E.S.I. Scheme, if they are covered by the Scheme.

(4) While medical aid is a welfare amenity, it is not for the Committee to suggest what system of medicine such as ayurvedic, siddha, homoeopathy, unani, etc. should be included within the E.S.I. Scheme.

(5) While convalescent homes, sanatoria, etc. for workers are laudable objectives (Para 5.82), we feel that these are overambitious projects to be attempted even within the public sphere, in the present stage of the national economy or the economy of individual industries including public sector enterprises.

Chapter VI—Canteens

The Committee, in our opinion, has over-emphasised the role of canteens in industrial establishments and in this process has ignored the economics of running a canteen. It has recommended rigid enforcement of the statutory provisions as well as opening canteens even where less than 250 workers are employed. A canteen in an establishment employing less than 250 workers cannot be run economically. The power of the State Government to exempt from the statutory provisions should not be removed or circumscribed as has been suggested in Para 6.43 by the Committee. If the situation of an establishment makes the provision of a canteen unnecessary, or where alternative facilities are available, such establishment should be able to seek exemption from the statutory provisions.

The recommendation in Para 6.45 that even establishments employing less than the statutory minimum number of workers should open a canteen if workers ask for it and agree to run it on a co-operative basis overlooks the fact that the capital and part of the recurring expenditure would have still to be met by the employer and that small units will not be able to meet this cost.

We are against any statutory compulsion being placed on employers to introduce mobile canteens (Para 6.46) because of the heavy cost it will entail.

The Committee has imposed an impossible condition in the provision of canteens by its recommendation under Para 6.49. The function of providing a diet of the requisite calorific and nutrient value is not of the wage and the requirements mentioned in the paragraph are always taken into account in fixing wages. The objective of nutrition cannot be met through legislation. All that may be required is that wholesome food should be served in the canteens.

It will be impossible to provide canteen facility on a joint basis except in very limited areas, such as, in industrial estates. In such cases, it will be better to encourage an outside agency to run the canteen.

Chapter VII—Creches

(1) The rigidity of the Committee's approach will be apparent from its recommendation that fans must be provided in creches "invariably where they are not being provided for". (Para 7.32). This overlooks that fact in certain areas and climates, a fan may positively cause discomfort such as in plantation areas. At the most, the Committee should have recommended that the Government may require the provision of a fan in creches wherever it is needed and feasible.

(2) While it is not denied that the need for a woman worker employed in a small establishment to have the facilities of a creche is the same as one employed in a larger unit, it will be beyond the financial capacity of a small employer to provide a creche of the prescribed standards and to run it. We cannot therefore agree to the recommendation in Para 7.36 that the State Governments may be empowered to reduce the employment limit from 50 or more women workers for the provision of creches. This statutory limits was

fixed for sound economic reasons and should not be reduced.

(3) In paragraph 7.39, the Committee has recommended that creches should be provided on a joint basis by smaller units situated in a contiguous, compact area where such units employ 10 or more women workers. If normally the obligation to provide a creche will visit only on a unit employing 50 or more women workers, a small unit employing only 10 or more women workers on a joint basis, should not be required to provide a creche for the mere reason that it is situated in a compact area along with other smaller units. The recommendation is likely to affect the employment of women workers by smaller industrial units. The suggestion to have a statutory body for the provision of creches for such smaller units ignores the actual administrative and financial problems involved. It may be found that such compact areas do not, as a matter of fact, exist in any large numbers and such areas as there are, may be separated by long distances and it would not be administratively and economically possible for such creches to be run by a statutory body. Experience also shows that women do not generally like to leave their children a mile or more away and go for work.

We cannot agree to provide nurseries and kindergarten facilities and elementary school facilities in the creches by the employers (Para 7.41). Education is a State subject and these facilities should be provided by the State. Nurseries and kindergarten facilities are not provided in schools run by Government and other agencies generally. The Committee has not also examined the financial burden this will place on the employers.

Chapter VIII—Housing

We are strongly opposed to the recommendation to place a statutory obligation on the employers to build houses at a specified rate annually. (Para 8.33). Housing is a universal need and its provision is the responsibility of the State. There should, therefore, be no compulsion on the employers to provide housing. The ILO itself has recognised this and stated that "it is generally not desirable that employers should provide housing for their workers directly". (ILO Recommendation No. 115). Workers should be encouraged to live in their own houses and these houses should be built out of co-operative funds and public assistance, as the link between the workers and his employer is removed once the person retires or leaves the employment and his housing in employers' quarters will create unnecessary human problems at the time of his leaving the employment. It would also place too heavy a burden on the worker if he is to find his own accommodation after his retirement when he is not a wage earner. The Supreme Court has also affirmed that housing of industrial labour is the primary responsibility of the State and on that ground negated a claim for house rent.

The cost of building houses even to cover 20% of the workers will place a colossal financial liability on industrial establishments. Further, in principle if 20% of the workers are to be housed by the employer, we cannot see the justification to deny the same benefit for the remaining 80%. The recommendation of the Committee will also in many cases be impractical of compliance as many industrial establishments in the urban centres

cannot obtain sites for construction except perhaps at prohibitively high cost. Instead of imposing statutory compulsion, employers may be encouraged to build houses on a voluntary basis.

With regard to the recommendation that the employer should provide house rent where housing is not provided to the workers (Para 8.63), we would point out that the Supreme Court has negatived a claim for house rent allowance stating that housing is not the responsibility of the employer but of State and that the wages paid to the workers include an element for house rent.

Chapter IX—Recreational facilities

We feel that there should be no statutory compulsion on the employers to provide these facilities. This is one of the welfare measures that should develop on a voluntary basis. As regards industrialised metropolitan towns and other centres, the State or local authorities should provide adequate facilities for recreation.

The recommendation to set up a Statutory Board for providing recreational facilities overlooks the financial burden and the administrative costs involved relative to the resources that will be available.

Chapter X—Transport Facilities

We cannot support the recommendation that the employers should provide transport facilities to employees to attend work and, where this is not provided, should pay a conveyance allowance. We cannot agree to this being made an obligation, much less a statutory one, on the employer. The employer's responsibility is to offer work when a worker has reported for duty and it is the primary duty of the worker to reach the place. Apart from this, provision of transport will involve colossal expenditure both in capital investment and recurring cost which few employers can afford.

Transport is one of the social overheads which the State has to provide or encourage other agencies to provide to the community at large, particularly in industrial areas.

The Committee's recommendation for joint facilities being provided by smaller industrial units is both impractical and beyond the financial means of smaller units. If there is a sizeable number of small units in a contiguous area, whose workers also live in and around a contiguous area, it is much better for the public or the private transport agencies to run bus services for the convenience of these workers.

These observations apply to transport facilities for workers on shift work as well.

Chapter XI—Enforcement and Inspectorate Services

The recommendation for appointing a Safety Officer on a statutory basis (Para 11.35) and subject to Government control in all factories employing 500 or more workers, is clearly unnecessary. Having recommended stricter enforcement of the safety provisions and the enlargement of the inspection machinery, the suggestion to have a Government-appointed Safety Officer in each factory is to proliferate administrative staff without reference to economic or social benefit. Once the legal requirements as to safety and health within a

factory are complied with, and these are periodically inspected by the Inspectorate, there is no need for a separated Safety Officer. It would be placing an unnecessarily heavy financial burden on the employing units.

The existing provisions of the Factories Act with regard to penalties are sufficiently deterrent and there is no need to enhance the penalties as recommended in paragraph 11.47.

We are also not in favour of the recommendation for having tripartite committee at the plant or industrial level for over seeing the implementation of the statutory welfare provisions. (Para 11.52). This is a function of the Factory Inspectorate; and the Works Committees and the Unions themselves can always take up any defects in the implementation with the management and/or the Inspectorate.

PART III

WELFARE AMENITIES IN SELECTED INDUSTRIES

Sugar Industry: We find ourselves unable to agree with the recommendation that medical aid in sugar factories should be provided under a Welfare Fund that has been proposed. If it is found that it is not possible to extend the E.S.I. Scheme to sugar factories because of their isolated location in rural areas, it would be for more difficult and uneconomical for a Welfare Board to provide these facilities. The Committee found that 63% of the sugar factories in the country were already running dispensaries or hospitals. The position must have improved since then. The most the Committee should have recommended was that sugar factories who have no dispensaries should open such dispensaries as soon as possible. The problem of medical facilities in the rural areas cannot be dealt with in isolation from the rural community at large.

With regard to educational and recreational facilities, we feel no statutory compulsion should be placed on industry including sugar factories for the provision of these facilities. These observations apply equally to the opening of Fair Price Shops and/or Consumer Co-operative Stores.

Railway: We are in principle opposed to 100% subsidy of the expenditure being allowed in non-statutory canteens. This obligation can force employers to bear the whole cost of the establishment of canteens even if workers do not use the canteens and justify its existence.

Port and Dock Workers: We cannot accept the recommendation that where dock and port workers are residing within the port premises it is the employers' responsibility to provide educational facilities. Education is the responsibility of the State and can easily be provided by the Education Department within the port premises.

We are against collecting any separate levy from the employers of dock and port workers for the provision of medical facilities.

As in other cases, we have to oppose the recommendation that the responsibility for the provision of transport to port workers and dock workers is on the employer.

Municipal Bodies : We do not at all find the necessity for the appointment of a welfare officer by municipal bodies employing 500 or more workers. Elsewhere in the report the Committee has come to the conclusion that there is no need for a separate welfare officer. Further, municipal bodies in many respects are themselves welfare bodies and to suggest that there should be a welfare organisation to look after the employees of these bodies is tantamount to suggesting that there should be a separate medical establishment to serve the medical personnel of a hospital.

Building and Construction Industries : In our opinion there is no need for a separate all-India legislation to cover employees engaged in the building and construction industry. Most of the employment in this industry is by contract and the proposed legislation or regulation of contract labour will be adequate to meet the requirements of the employees engaged in this industry.

Motor Transport Workers : Having regard to the high cost and the economy of their operations, we are opposed to the extension of the Motor Transport Workers' Act to units employing less than 5 workers. The Committee in recommending relaxation has completely overlooked the high cost that would be involved in opening canteens, rest shelters and medical facilities for establishments employing less than 5 workers.

Seamen : The Committee has suggested an unemployment insurance scheme for seamen. We are in principle opposed to unemployment insurance being thought of for selected sections of employees. If and when the economy of the country is ready to introduce such a scheme, it should be applied to all unemployed.

PART IV

MINING INDUSTRY

Chapter XIV

The Mines Act 1952 has laid down the welfare amenities that have to be provided by the employers to the workers. These amenities have been supplemented by introducing separate statutory welfare funds for coal mines, mica mines and iron ore. The Mines Act together with the Coal Mines Regulations and the various statutory welfare funds provide for a comprehensive range of welfare measures including housing and medical facilities. In fact in the terms of reference of the Committee, these welfare schemes have been held out to be models and the Committee was asked to examine whether such schemes can be introduced in other industries. The majority of the workers in the mining industry are covered by these statutory welfare schemes and we cannot agree to the Committee's attempt to enlarge the scope of these measures or to place fresh obligations on the employers for providing additional welfare benefits on a non-statutory basis.

The economic condition of the mining industry is the worst in the country. It is speedily wasting industry. More than any other industry, it is subject to the law of diminishing returns. The cost of machinery and exploration for fresh deposits has been progressively rising. It is a peculiar feature of this industry that there is considerable wastage of even capital when explorations do not

result in finding coal or ore deposits. The industry had recently to implement a very burdensome award of the Wage Board and there has been great resistance from consumers to purchase coal at resulting higher prices. Any additional cost will further aggravate the economic position of the industry, particularly of the export oriented minerals.

The amenities to the miners should, therefore, be provided by the Statutory Welfare funds as the industry is not in a position to meet any additional expenditure on welfare.

In the recommendations forwarded by the Committee to the National Commission on Labour as well as in Part I, Chapter IV of the Report, it has been recommended that the Mines Act, 1952 should be universally applied to all Mines, irrespective of the number of workers employed. The mining industry is unable to accept this recommendation, as the small mines will not be able to undertake the financial burden in implementing the provisions of the Act. In this connection, it has to be noted that the Committee has not made a similar recommendation in the case of the Factories Act.

In addition the Committee has recommended that the minimum welfare amenities for the mining workers should consist of living (housing) facilities; health, medical and family planning facilities; education facilities, consumer co-operative stores, transport and recreation facilities. We cannot agree that these constitute minimum welfare or that they are the responsibility of the employers.

(a) **Living facilities :** As pointed out in our notes when dealing with this subject under manufacturing industries, housing is the responsibility of the State and not of the employer as has been held by the Supreme Court and the I.L.O. In the Coal Mining Industry the, Coal Mines Labour Housing Board had several schemes for provision of houses for mining workers. The system of making payments should be streamlined to reduce delays and to encourage more utilisation of these schemes. The conditions of the subsidies given to workers for construction of houses should be liberalised. Workers should be encouraged to own their own houses rather than in houses provided by the employer. This is more advantageous for them in the long run.

(b) **Health, Medical and Family Planning Facilities :** The statutory provisions of the Mines Act, Mines Rules and the Rules and Bye-laws of the Assansol and Jharia Mines Boards of Health deal with the following items :

- (i) Wholesome and cool water supply ;
- (ii) Environmental sanitation—latrines, disposal of night soil and refuse, urinal and drainage ;
- (v) Emergency medical care on the spot, provision of medical attention as close to the place of work as possible and adequate mobile services in emergency cases for hospitalisation.

The existing statutory provisions are considered to be adequate.

With regard to the following items :

- (iii) Family planning, maternal ante-natal, natal and post natal and child care, nutrition of mother and children ;
- (iv) Prevention and control of disease(s) prevalent/associated with the working situation and/or place of living ;

it is the primary duty of the State to provide these facilities. As regards coal mine workers it would be appropriate if the responsibility were entrusted to the Coal Mines Welfare Organisation so as, however, not to overlap the functions of other Central or State organisations set up to deal with these problems.

(c) *Educational Facilities* : Education is the responsibility of the State Governments and should be paid from their Central Funds and not from special cesses, otherwise little will be achieved. The Industry cannot afford to be singled out to bear this responsibility. Almost all State Governments have promised free primary education (in certain cases free education even up to Lower Secondary Standard) for the children of their citizens. Education Cess in West Bengal @10½ pias per rupee of colliery profits is paid to the State Government which does nothing in that direction.

(d) *Consumers' Co-operative Stores* : In the Coal Industry some 90% of collieries employing 300 or more workers have already set up co-operative shops. The assistance given by both the employers and the Coal Mines Welfare Organisation in opening Co-operative shops as part of the plan to give relief to colliery workers, while at the same time holding or helping to hold the price line, has been very considerable. Representatives of the Coal Industry have repeatedly uttered the warning that Co-operatives would only be able to serve the purposes for which they were opened if reasonable and steady supplies of grain were made available to them, and if Government assisted in channelling a reasonable proportion of scarce consumer goods to them for sale at controlled prices to mining labour. The industry is against the lowering of the employment strength from 300 workers for the provision of fair price shops/consumers' Co-operatives.

(e) *Transport Facilities* : Provision of transport and roads are clearly Government affairs. It is not the normal practice in any industry to give advances to buy cycles and the Coal Industry should not be singled out in this regard.

(f) *Recreational Facilities* : This comes under the purview of the various Mining Labour Welfare Funds and the individual employers should not be required to provide separate facilities.

Chapter XIV—Minimum Welfare Amenities

(a) We cannot agree that housing facility is a basic welfare amenity or that it should be provided by all mines irrespective of location, size and the number employed. As already pointed out, housing is not the responsibility of the employer—this has been clearly upheld in judicial pronouncements by the Supreme Court. In any case so far as mines are concerned, this is covered by the functions of the Coal Mines Labour Housing Board.

(b) The recommendation of the Committee that mines employing more than 50 workers should

make proper arrangements for latrines, urinals drainage, prevention and control of diseases and for family planning, etc. is unrealistic in the context of the economy of the industry as well as the general standard of the country as a whole.

Chapter XV—Existing Welfare Measures

Para 15.14

It is not possible for us to agree with the recommendation that the existing Mines Rules should be amended to provide for a full-fledged dispensary and a full-time medical officer and a compounder-cum-dresser and nurse for every mine employing 500 or more persons and that in mines employing between 150 and 500 workers, a part time medical officer and a full time compounder-cum-dresser may be appointed. We cannot also find our way to accept the other recommendation that mines employing 150 or less workers spread over a contiguous area should employ a medical mobile unit jointly for a group of mines under a qualified doctor. The industry is not in a position to undertake these additional financial commitments. If the existing medical facilities in the mines require strengthening, it should be done through the Welfare Funds which are already in existence. The existing facilities are more than adequate and no further expansion or fresh burdens being placed on the employers need be considered.

Para 15.15

As in other cases, in the case of provision of Rest Shelter also the Committee has ignored the capital and recurring cost that would be involved in providing rest shelters, when it recommends that mines irrespective of the number of workers employed should provide a rest shelter. No establishment employing less than 50 workers is financially in a position to construct such shelters.

Para 15.25

It has been the experience of the industry that canteens on the whole are not patronised by the mine workers as there is hardly any sale worth the expenditure incurred by the employers in running the canteens. The canteens are open from 8 a.m. to 4 p.m. which covers two shifts and as such we cannot agree to two sets of canteen personnel being employed to run the canteen for two shifts. We cannot also accept the suggestion that balanced meal should be provided at the canteen unless this term is meant to mean wholesome food.

Paras 15-30 and 15-31—Creches

While we agree that creches should be provided where 40 women or 20 children below 6 years are employed, we cannot agree with the recommendation that child Health Clinics and Family Planning Counselling Centre for women should be started. These are the functions of the Welfare Fund and it should not be placed on the employer. We cannot also agree that kindergarten facilities should be provided by the employers in the creches as education is the State's responsibility and the employer cannot differentiate between the children of working mothers and the children of other workers.

Chapter XVI—Enforcement Machinery

Para 16.21

We cannot agree with the principle behind the recommendation contained in paragraph 16.21 that

the inspectorate should be financed by the industry which it is supposed to inspect. The inspecting staff is just one of the many arms of the Government whose pay and allowances are met from the general revenues collected by the Government. The industry is already paying a number of taxes, cesses and levies to Government and there is no reason to collect a new cess for financing the inspectorate. In any case, the mining industry is not in a flourishing state to bear any additional burden by way of a registration fee.

Chapter XVII—Housing

Para 17.22

The recommendation for raising the cess from 49.21 paise to Re. 1 per metric tonne will place to great a burden on the industry. There is already a great resistance on the part of consumers to pay more for coal due to the implementation of the Wage Board's recommendations. Any additional rise in price will further aggravate the situation. The existing collection of the cess is adequate to run the existing schemes.

Paras 17.23, 17.36 & 17.37

We have already dealt with the question of housing in general terms earlier. As stated therein, and as affirmed by the Supreme Court and the ILO, the responsibility to provide housing should not be placed on the employer. Apart from this, an element of house rent is also included in the wages paid to the workers. The Committee has also separately recommended an accelerated rate of building of houses under Coal Mines Labour Welfare Fund Organisation. In view of this, we are strongly opposed to the recommendation that the employer should be statutorily required to build at least 20% of the houses required for colliery workers.

In the Coal Mining Industry the Coal Mines Labour Housing Board has several schemes for provision of houses for mine workers. The entire system of making payments should be streamlined to reduce delays and encourage more utilisation of these schemes. The conditions of the subsidies given to workers for construction of houses should be liberalised. Paternalism as regards provision of houses is a shortsighted policy because it leads to a loss of the sense of responsibility. In any event, people prefer to own their own houses, and this is more advantageous for them in the long run. It is suggested that if the Rules relating to the "Build Your Own House" scheme were liberalised more houses could be built and the objective of more and better housing would be achieved in a manner more in consonance with workers' rights and dignity.

Para 17.40

The employers do maintain *dhowrahs* built by them in reasonably good repair, but they cannot accept the responsibility to renovate them according to standards, demanded by the workers or the Fund authorities.

Chapter XVIII—Statutory Welfare Funds

Para 18.17

The grants-in-aid given to the employer for dispensary services is 8 p. per ton when the cess on coal was 25 p. per ton. At present the cess is

50 p. per ton but the grants-in-aid remain the same. The Committee has recommended that management should also open more dispensaries and hospitals by availing of the grants from the Welfare Fund. This is not possible until the funds give liberal grants-in-aid and for this purpose the present 8 paise should be raised to 32 paise especially if the coal cess were to be raised to Re. 1 to as recommended by the Committee.

Para 18.42

We cannot agree with the Committee's recommendation that Mines Owners should provide protected water supply in workers' colonies before opening the mine and that the supply of drinking water in residential colonies should be made a statutory obligation.

We cannot also agree to the recommendation to provide piped water in each house or one tap for every five houses because the industry is not in a position to incur such expenditure. Where the employers are taking advantage of the welfare funds subsidy for water, there is a stipulation in the scheme to provide one tap for 5 workers' houses. The employers cannot agree to provide one tap for 5 workers' houses on their own.

Para 18.54

We cannot agree to the recommendation to extend the Mica Mines Welfare Fund Act to the Mica Factory workers. There are 17,000 mica miners in Bihar who are getting advantage of the Fund against about 40,000 factory workers. If the Act is extended to factory workers then the quantum of facilities to miners will be reduced.

Para 18.57

If the cess is raised from 2½ p.c. to 6½ p.c. *ad-valorem*, then the industry's capacity to compete in the world market will be adversely affected. There is already a slump in mica exports and any increase in cess will adversely affect the export of this mineral.

Chapter XIX—General Miners' Welfare Fund

The recommendation under para 19.9 to levy the cess on the basis of the value of the mineral would cause practical difficulties. There is already a proposal that royalty should be on a tonnage basis for this very measure.

Chapter XX—Administration of Fund

We have no objection to the amalgamation of the various Welfare Funds under the Directorate-General Mines Welfare, provided the Funds raised in a particular region and for a particular mineral are spent, as far as possible, for the purpose of that mineral in that region.

However, this important question of combining the various Welfare Funds together with the connected question of levying a cess on other minerals and increasing that under the existing welfare funds should first be discussed at the Advisory Committees set up under the Funds as well as at other levels. No hurried decision should be taken which may effect adversely such export oriented minerals as manganese and mica.

The welfare funds collected from coal, iron ore and mica should not be used to subsidise welfare

measures in other State owned minerals and mines, thereby introducing another form of concealed taxation.

PART V PLANTATIONS

Chapter XXI

Para 21.21

The objects of the Industrial Disputes Act and the Plantations Labour Act are quite different. By raising the salary limit for the coverage of the Act from Rs. 300 to Rs. 500, the only section of the employees who would be freshly covered by the Act will be the higher paid staff. The conditions of service and the benefits available to Estate Staff are much higher than those available under the Plantations Labour Act. At present, the factory staff are covered by the Factories Act and office staff, in certain cases, by the Shops and Establishments Act. Unless the whole of the Plantations staff and workers whether they are working in the factory, office or field are recommended to be observed by one single enactment, namely, the Plantations Labour Act no purpose will be served by raising the salary limit from Rs. 300 to Rs. 500.

Chapter XXII

Para 22.3.7

Having regard to the location of plantations, terrain etc. it will be quite impracticable to comply with the recommendation that plantations should provide septic latrines at work places at the rate of one each for either sex for every 50 acres. The existing provisions under the Plantations Labour Act and Rules for provision of field latrines are in fact in excess of observed requirements.

Chapter XXIII

Para 23.12

We have to disagree with the recommendation that provisions relating to canteens contained in the Plantations Labour Act should be strictly enforced. This overlooks the substantial difference between employment in a factory and employment in a plantation where the workers are resident and who while at work are dispersed over a large area and do not have a fixed working place.

Chapter XXIV

Para 24.13

We cannot agree that kindergarten and nursery classes should be provided in the creches. These are part of primary education and is the responsibility of the State Governments. It has also to be considered whether, but for their being left in the creche, the children would normally have had the benefit of these facilities. However, the children are too young to benefit by this recommendation.

Chapter XXV

Para 25.2.11

As urged in our earlier comments, education is the responsibility of the State and local authorities

and the employer should not be obliged to take on this responsibility on a statutory basis. The Committee should have, therefore, accepted the suggestions that Government should take over schools run by plantations as is being done in the State of Assam and has been done already in West Bengal. The plantations should only be required to provide the necessary land where possible for the schools.

Chapter XXVI

Para 26.26

We cannot accept the recommendation that housing facilities should be provided to those workers who do not at present reside in plantations but who may wish to reside in plantations provided they do not reside within a distance of 5 Km. from the periphery of an estate. The imposition of a statutory obligation on plantations to house their workers has a history behind it. Plantations, mainly tea plantations, recruited labour in families from distant villages and brought them to plantations and housed them there. Statutory compulsion was placed only to ensure that certain standards were laid down for such housing. The scheme of the Act or even the object of the Act was never intended to place a legal obligation on the plantation industry to house all its workers. Urban industries are under no legal obligation to provide housing and it will be discriminatory if the plantation industry alone is compelled to provide houses to all its employers. It is one thing to say that houses that are provided by the employer on a plantation should conform to certain standards, but it is entirely a different proposition to suggest that a plantation must provide houses to every workman asking for accommodation.

In the case of plantations situated within Municipality limits or near villages, there is no reason why the employer cannot engage non-resident labour readily available from the vicinity without the obligation to provide quarters.

Chapter XXIX

Para 29.6

The penalties already provided under sections 36 and 37 in the Plantations Labour Act are deterrent enough and we are against enhancement of the minimum and maximum penalties. The penalty for each case has to be determined on the basis of its circumstances and taking into account the extenuating circumstances if any and it would be harsh and against the principles of natural justice if in every case the penalty is rigidly fixed.

Para 29.7

We cannot agree with the recommendation that medical inspectors should be appointed exclusively for the purpose of the Plantations Labour Act. The question of strengthening the Inspectorate was considered by the 11th Session of the Industrial Committee on Plantations and that tripartite Committee came to a unanimous decision that the Act might be amended to give powers to the State Governments to appoint such public officers as they deemed fit. We are prepared to accept the decision of the Industrial Committee.

Chapter XXX

Para 30.2 :

While we have no objection to the recommendation that additional welfare amenities might be provided and administered by the respective Commodity Boards, we are unable to agree with the suggestion that for this purpose the existing cess on plantation crops should be enhanced. The cess is not collected separately for the different functions of the Commodity Boards. It is a composite cess and it should be left to the Government to decide whether or not an increase in the cess is necessary to meet the overall functions of the Commodity Boards.

With regard to the additional amenities, we are unable to agree that there is need for a separate distress relief payment so far as plantation workers are concerned, as such cases are already covered by the Provident Fund Scheme, Workmen's Compensation and the Gratuity Schemes which are in existence.

Under the Plantations Labour Act detailed provisions have been made with regard to health and conservancy. As this is a statutory obligation on the employer, we do not think that there is any need for the Commodity Boards to undertake arrangements for providing sanitary facilities in plantation areas.

So far as adult education is concerned, this is already run by the Board for Workers' Education under the Ministry of Labour and Employment.

Chapter XXXI

Paras 31.11 32.12

In paragraph 31.4, the Committee has recommended the extension of the Plantations Labour Act progressively to plantations which are not at present covered by the Act. In addition, the Committee has recommended the formation of a separate Plantation Wing of the statutory Labour Welfare Boards for each State on the ground that considerable delay will occur before the Act is so extended. We cannot accept this recommendation. If the Plantations Labour Act is to be progressively extended to small plantations that should itself look after the needs of the workers employed in those plantations. Since a small amendment to the Act is all that is necessary and a ready inspection machinery already exists, the extension of the Act to and its enforcement on small plantations need not entail any greater delay than the framing of an entirely new legislation for a Welfare Fund in each State, opening a Plantation Wing of the State Fund, and building up necessary financial resources for the Fund.

In dealing with the Chapter on Statutory Welfare Funds we have detailed our objections to the whole scheme. While in theory a Welfare Board may be able to provide some benefits to workers in urban industries, the administrative cost involved in operating a Welfare Board for small plantations will far exceed the resources that can reasonably be expected to be raised. There are over 7,000 units in Tea, over 37,000 units in Coffee and over 93,000 units in Rubber which are outside the scope of the Plantations Labour Act and coverage of these establishments (which are widely dispersed) under a Welfare Board is impossible. The

majority of Coffee and Rubber estates are in an around agricultural villages and identification of their labour from agricultural and rural labour is difficult.

If a Welfare Fund is created to cover small plantations, it will be difficult to wind up the Board even after the Plantations Labour Act has been extended to these plantations. It is necessary to avoid duplication of efforts and the extension of the Act to smaller plantations to the extent administratively possible would provide the maximum benefit to the labour.

Chapter XXXIII—Agriculture

In paragraph 33.17, the Committee has recommended distribution of cultivable waste lands to persons at present holding small plots of land in order to convert them into viable units. We do not think that distribution of land is either a welfare amenity or that it was within the terms of reference of our Committee to recommend it. Similarly, we feel that the recommendation in para 34.9 to set up Labour Pools is outside the scope of our enquiry.

We are surprised that the Committee after stating in para 34.1 that there is no necessity to lay down any minimum welfare amenities in agriculture, has recommended in para 34.23 that farms employing 5 or more agricultural labour should be made statutorily responsible to provide basic minimum welfare amenities like drinking water, first aid, rest shelter, protective equipment, etc. It has been further suggested that an all-India Enabling Legislation should be enacted. Even the Factories Act applies only to a factory employing ten or more workers if it is run with the aid of power and 20 or more workers if it is run without the aid of power. It is, therefore, unrealistic to place the statutory burden on a farm employing as low as 5 workers. There would be millions of such small farmers and to bring them under the coverage of the proposed statute and to enforce the statutory provisions would require an enforcement machinery which no Government can afford.

In dealing with agricultural and rural labour, it has to be appreciated that identification of this labour is extremely difficult and as such separately identified welfare measures for this class is not possible. The welfare of agricultural and rural labour and indeed the entire rural community should be looked upon as an integrated whole and no attempt should be made to provide facilities exclusively meant for any one class. The size of agricultural farms is generally so small, that it is not within the financial capacity of the farmer to provide the basic welfare benefits to his workers. The main problem of rural and agricultural labour is seasonal employment and the general prevalence of under-employment at the low levels of skills. The first priority should be for finding productive employment in the rural areas and for fixing and enforcing minimum wages for this labour. The Government and the local authorities should provide basic civic amenities in villages such as wells, schools, hospital, play-grounds, etc., for the use of the rural community.

PART VI CHAPTER XXXVI FAMILY PLANNING

It has been recommended in para 36.9 that family planning programme should be made part

and parcel of labour welfare activities by the employers. It has not been explained in what manner the employer should comply with this welfare. No obligation should be statutorily placed on the employer to appoint family planning staff, open clinics, etc. These clinics should only be a supplemental effort to assist the national campaign. All that the employer should be expected to do is to encourage family planning on a voluntary basis by providing certain incentives.

The conclusion in para 36.33 against any restriction on the payment of maternity benefit is not supported by the overwhelming evidence the Committee has collected. In the light of the views expressed and the Rules adopted by certain State Governments, the Committee should have concluded that the payment of maternity benefit to unlimited number of child births militates against the policy of family planning. We recommend that payment of maternity benefit should be limited to 3 child births.

CHAPTER XXXVII

CO-OPERATIVE & SAVINGS FACILITIES

We strongly disagree with the recommendation that legislation should be introduced to compel employers to open fair price shops. The progress achieved so far is satisfactory and further progress in this direction should be achieved through persuasion.

The setting up of fair price shops was recommended by the Standing Labour Committee as a temporary measure. We cannot also support the suggestion that the employment limit for opening fair price shops/consumer co-operative stores should be reduced from 300 to 200 workers. Only if a minimum number of 300 or more workmen patronise these shops, they can be run on an economical basis.

The employers are prepared to provide assistance on the scale envisaged under the tripartite decision if and when workers come forward for the creation of such co-operatives. Therefore, there should not be any compulsion on the employers to set up fair price shops.

CHAPTER XXXVIII

DISTRESS RELIEF AND CASH BENEFITS

The existing provisions under the E.S.I. Act, Workmen's Compensation Act, the Provident Funds Act, etc., are adequate for the purpose of granting distress relief to workers. In addition, there is a gratuity scheme in organised industries. In view of this, we do not consider it necessary to recommend payment of distress relief and cash benefits as new statutory obligation.

CHAPTER XXXIX

EDUCATIONAL FACILITIES

We have to oppose very strongly the recommendation contained in paragraph 39.39 that provision of educational facilities is a statutory responsibility of the employers. Education is the responsibility of the State and even where certain employers are now required to provide educational facilities due to the peculiar location of their industries, the responsibility should be taken on by Government. The

only obligation on such employers should be to provide the necessary land required for the schools on their properties.

CHAPTER XL

RETIRAL BENEFITS

As already pointed out, we are strongly opposed to the inclusion of retiral benefits such as provident fund, gratuity, pension, etc., within the scope of labour welfare. As the Supreme Court has repeatedly held, the introduction of a Gratuity Scheme can be justified only on the basis of the capacity of individual industrial establishments to bear the burden. From this point of view, we object to the recommendation contained in para 40.72 that retirement gratuity should be introduced by all industrial establishments on a compulsory basis. We also find no justification for the recommendation to extend the E.P.F. Act to establishments employing less than 20 persons and having 5 years standing or employing 50 or more persons and having 3 years standing.

PART VIII

STATUTORY WELFARE FUNDS

In recommending State-wise Welfare Funds, the Committee has strayed beyond its terms of reference. The Committee was only required to examine the possibility of introducing in other industries Welfare Funds on the lines of the Welfare Funds in Mines. This called for a review of the existing facilities available in each industry and an examination whether it was necessary or feasible to introduce welfare funds in those industries.

We are in principle opposed to statutory Welfare Funds in general and State-wise Funds in particular. Sufficient legislation already exists which ensures a number of benefits to labour including social security benefits. Anything more than what is at present available should be encouraged to be developed on a voluntary basis and by means of mutual negotiations and agreements between the employer and employees.

General welfare funds would impose universal burdens on all units while the welfare amenities need not be available to workers equally. Apart from all this, experience has shown that a very high proportion of the money collected for the Welfare Fund is spent on administration and not on direct welfare of the workers.

Normally, the persons who will benefit from a Welfare Fund are workers in the urban areas, but the section most needed to be helped are those in the rural areas. Because industries in rural areas are so widely dispersed, the administration of a Welfare Fund to cover rural labour would require resources for exceeding anything that can be reasonably raised.

The institution of Welfare Funds will result in the parallel existence of several Welfare Schemes duplicating one another and adding to the cost without any substantial reduction in the burden on the industries concerned.

The suggestion that a Plantation Wing within the State Fund should be formed in those States having plantations is unnecessary and impracticable. Elsewhere it has been suggested that this has been pro-

posed to fill an interregnum before the Plantations Labour Act, is extended to small plantations. It is administratively more easy and less expensive to enforce the Act in smaller plantations than to set up a Welfare Fund and to administer it in small plantations whose numbers are so large and which are widely dispersed. No real benefit can accrue to the employees on such a large number of small estates through a Welfare Board. The workers' representative made it clear that no liability to pay such Welfare Fund can be accepted by labour. We would like to take the same position.

PART IX

ROLE OF WELFARE OFFICERS

As referred to in the introductory paragraphs, the majority view within the Committee was that Welfare Officer is in the existing circumstances was an unnecessary appendage in industrial establishments and that the statutory provisions should be deleted. The representatives of the labour and of the private sector employers have consistently opposed the idea of Welfare Officers.

It was the accepted position within the Committee that the provision of welfare being a direct responsibility cast on the management, it is for the management to make such arrangements as would meet with its statutory obligations.

The question of plantations was considered in particular. Plantations are residential-cum-production units. The workers, supervisors, staff and managerial personnel live and work on the same premises. Unlike in a factory, there are no middle management positions in plantations and the workers come in direct contact with the Manager. The Committee has accepted this position. Accepting this position, the Committee has concluded in paragraph 43.39 as follows:—

".....We think that the Plantations Labour Act should continue to have extensive provisions regarding workers' health and welfare. But the Labour Welfare Officer is not the proper functionary to secure the compliance of statutory provisions at the level of an estate. One of the managers, if designated for the job, in our opinion, will be effective."

NOTE OF DISSENT FROM THE WORKERS' REPRESENTATIVES

We accept the recommendations of the Committee on Labour Welfare subject to the following reservations:—

1. In a Welfare State like India, it is undoubtedly the obligation on the State, and on the Industry to provide good working conditions and adequate scope for development of the human personality to workers. This obligation has been imposed on employers by some Statutes and by implication should be accepted by other employers voluntarily. We, therefore, cannot subscribe to the idea of workers contributing for welfare amenities in any extent or form.
2. The recommendation in respect of workers in plantation not covered by the Plantations Labour Act 1951 contributing to a Welfare Fund while their brethren in the covered

plantations get welfare amenities free is a still more preposterous and is liable to create sharp reactions. We cannot agree to it.

3. The ESI Act already provides concessional rate of contribution from exempted employers on account of medical facilities they are providing to their employees. The employers in general are not yet paying full share of contribution as provided for in the ESI Act. Any reduction in the existing resources of the ESI Corporation will further create serious difficulties in extending its services to the insured workers. The proposed rebate will not in any way help the workers in exempted industries. Therefore we oppose it.
4. For industrial housing the employers are given loan on low interest, and even subsidy. Workers are charged rent for these houses and by a certain period the full capital cost with interest is recovered. Therefore there is no case for rebate to employers for housing.
5. Similarly the schools run by the employers are given grants from the Government. Employers also get tax exemption for the amounts spent for educational purposes. Any further rebate is not called for.
6. We are of the definite opinion that the institution of welfare officers has not only not done any good work to the workers but has hindered development of good industrial relations between the employers and workers. At times the Welfare Officers are seen to have created unrest that is avoidable. They are neither trusted by employers nor by workers. We feel that they should go.
7. We are of the opinion that in view of increasing breaches of law, non-implementation of statutory obligation, a deterrent punishment of imprisonment, may be for repeated violations only, should be provided rather than fines as has been recommended by the Committee at a number of places. The law should also be amended to treat a breach of law as a continuing offence until rectified.
8. Usually the employers live safe distances from work sites or gardens. It is only the executive officers and the supervisory staff who reside near the work place with the workers. From wherever we had seen in the plantations, the hiatus between the workers and the managers in respect of accommodation and amenities is perhaps the widest. Therefore we disagree with the views expressed in para 23.2 and hold that no case is made out for special study in plantations.
9. There are concerns which are having both schemes of gratuity and pension. We are of the view that wherever workers are able to get both through agreements etc., it should be encouraged. We are of the view that recommendations regarding gratuity should apply to all workers.

Phani Ghosh

K. G. Srivastava

Prabin Goswami

H.M.S.

A.I.T.U.C.

I.N.T.U.C.

Dated, Calcutta, the 19th June 1969.

JOINT NOTES OF DISSENT ON WELFARE OFFICER BY EMPLOYERS' AND WORKERS' REPRESENTATIVES ON THE COMMITTEE

We are of the view that the institution of Welfare Officers in its present form is not serving any useful purpose and should be done away with, as employers are responsible for proper implementation of Statutory Welfare measures and Trade Unions and Inspecting staff of the Government can take care of due implementation of these measures.

Employees' Representatives

K. G. Shrivastava

Prabin Goswami

Phani Ghosh

Brig. K. Bag Singh

Govind Saran Gupta

V. I. Chacko

Calcutta : Dated 20-6-1969.

NOTE OF DISSENT BY SHRI G. R. VENKATARAMAN, REPRESENTATIVE OF THE MINISTRY OF RAILWAYS ON THE COMMITTEE ON LABOUR WELFARE

As a representative of the biggest employing Ministry of the Government of India I am constrained to have to dissociate myself from the following recommendations made by the Committee :—

(i) Recommendations Nos. 68, 71, 73, 126 & 146 of the Summary of Recommendations :

These recommendations state that the responsibility for transport of workers from residence to office is that of the employer. It has been enjoined on industrial undertakings to make arrangements for transport of workers working in night-shifts. A conveyance allowance is being recommended where the employer has been unable to make arrangements for transport. Though these recommendations have been made under specific industries viz., manufacturing industries and Defence Installations, the claim for their universal application can hardly be resisted, and therefore I am unable to accept them.

(ii) Recommendations Nos. 122, 123, 142 & 316 of the Summary of Recommendations :

These recommendations make the transport of school children to schools the responsibility of the employer. Supply of milk, mid-day meals etc., to school children have been recommended. There are substantial financial implications and as education is the responsibility of State Governments and not employers, these recommendations are not acceptable for universal application.

(iii) Recommendations Nos. 38 and 57 :

An All India enabling legislation compelling employers to provide a prescribed percentage of houses has been recommended. In a fully Government Undertaking like the Railways the entire funds for construction of houses are allotted by the Planning Commission from time to time and a legislation might result in a subordinate Statutory Authority being given powers to prescribe levels of accomplishment greater than even those prescribed by

Government at the highest level. Any legislation which includes Railways is thus unacceptable.

As a result of decisions taken by Government on recommendations of Pay Commissions from time to time a house rent allowance is now being paid to Government servants at specified cities as prescribed from time to time on the basis of population. It would not be possible to accept that wherever houses are not provided a house-rent allowance should invariably be granted.

(iv) Recommendation No. 148 :

This relates to the extension of welfare amenities like medical, education, drinking water, canteens, rest and recreational facilities etc., to all workers including casual and contract workers. By the very nature of their work, the tenure of employment of these personnel is limited. The recommendation does not take into account the administrative and financial feasibility of the extension of these facilities to the category of persons referred to and I am, therefore, unable to subscribe to it.

(v) Recommendation No. 193 :

The consumption of coal by the Railways is of the order of 170 lakh metric tonnes and the proposal to increase the existing rate of cess on the despatch of coal to Re. 1 per metric tonne will mean an increase in the price of coal by the same extent and the annual increase in the operating expenses of the Railways would be of the order of nearly a crore of rupees. At a time when the Railways are finding it extremely difficult to balance their budget an extra commitment of this order cannot be borne by the Railways. This recommendation is therefore not acceptable to me.

(vi) Recommendation No. 294 :

It has been recommended that the time is now ripe for proceeding with legislation for the running of fair price shops by employers. Running of such fair price shops where Co-operative Societies have been unable to run them means opening of departmental grain-shops. The Railway Ministry was, during the Second World War and immediately thereafter, running a net-work of subsidized grain-shops. The experience was very unsavoury. Besides a huge overhead expenditure a lot of undesirable practices had crept in. The Ministry had eventually to abolish the scheme. In such circumstances, I am opposed to a recommendation which envisages the revival of departmental grain-shops.

(vii) Recommendation No. 318 :

The recommendation is that dearness allowance should be taken into account for the purpose of computing the quantum of gratuity. The service rules for Government servants have always provided that only pay would be taken into account for the purpose of gratuity. This would be a departure from established rules and while there may be justification in the case of non-Government employees, the bulk of whose emoluments may be in the shape of dearness allowance, it is not possible to accept this recommendation for application to government servants in industries directly run by Government.

(viii) Recommendation No. 320 :

The Railway Ministry has been granted an interim exemption from the application of the Employees' Provident Fund Act, as the Railways have

had an established Provident Fund scheme for a very long time, which is admittedly not less favourable than that contemplated under the Act and the question of permanent exemption is under consideration. In the circumstances I refrain from agreeing with the recommendation regarding the extension of the Act to cover all workers irrespective of the size of the undertaking and the nature of the industry.

(ix) Recommendation No. 352 :

On the Railways only Officers belonging to the Personnel Branch have been in charge of welfare work in industrial establishments and the present arrangements can be deemed to fulfil the purposes of the law and appointment of separate welfare officers with specified qualifications as envisaged in the statute is not necessary. Appointment of such persons would present difficulties in their incorporation in the hierarchical set up, their promotional prospects etc. As there might be difficulties in accepting that the present arrangements fulfil the purposes of the law, the matter can be placed beyond ambiguity, only if the provisions in the law themselves are deleted and the responsibility for the provision of welfare measures as envisaged, placed squarely on the employer. I would thus prefer the deletion of the statutory provision in this respect, to the recommendation made by the Committee.

Sd/-

(G. R. VENKATARAMAN)

Deputy Director, Establishment(L)
Railway Board

*Representative of the Ministry of Railways on the
Committee on Labour Welfare,*

**COMMENTS OF THE CHAIRMAN ON THE
NOTES OF DISSENT**

I am constrained to offer some comments on the Notes of Dissent given by some of my colleagues on the Committee. I am compelled to do so for a variety of reasons. It is, I think, my duty, as the Chairman of the Committee to explain and defend the decisions of the Committee which were arrived at after considerable discussions and deliberations—some unanimously and some by a consensus.

Extensive enough, as the terms of reference of the Committee, are they permit consideration of every conceivable welfare service for the teeming millions of industrial and agricultural workers, in factories, plantations, mines and agricultural vocations all over the country. These, viewed in the context of the goals of the State laid down for labour welfare in the Directive Principles of State Policy set the contours of our deliberations which had to be consistent with the accepted progressive aims of the socialistic pattern of society. Impelled by these social values our recommendations had to be progressive though realistic.

The employers' representatives on the Committee have said that "even though the terms of reference required the Committee to review the functioning of the existing welfare schemes, it proceeded on the assumption that within its terms of reference it could not reduce or amend any of the existing provisions and that in every case something more than that already exist-

ed should be recommended. Where nothing existed some welfare measures were recommended, additional benefits were recommended even where elaborate benefits were already available". The Committee had, by a consensus, accepted the fact that whatever had already been provided in the Factories Act, 1948, the Plantations Labour Act, 1951 and the Mines Act, 1952 for the industries to which they apply, lays the floor of the welfare amenities that must be available to workers inside the workplace. In the context of the decision the question of taking out something from the existing statutory amenities could hardly arise. It became very clear during the course of our deliberations that in a democratic country dedicated to social welfare it was essential to suggest some welfare measures where nothing existed. It is inconceivable that even after 22 years of independence there should be in this country any segment of industrial workers not protected by some statutory welfare measures or the other. If the Committee has broken ground in this direction I would be right in taking a legitimate pride of filling a vacuum which, if allowed to continue, would have created a hiatus, difficult to justify on any grounds whatsoever.

A reference, though indirectly, has been made to the adoption of ILO definition on labour welfare as defining the concept of labour welfare in this country. India is a member of the ILO. India as a Member country has been party to this definition since the time it was evolved. The ILO Resolution of 1947, *inter alia*, refers to provision of recreational facilities, sanitary and medical facilities, arrangements for travel to and from work and for accommodation of workers employed at a distance from their homes as also such other services, amenities and facilities as contribute to improve the conditions under which the workers are employed. We thought that it would be ridiculous to isolate what is conventionally called as social security measures for labour welfare—a point of view which has already been upheld by a Study Team appointed by the Department of Labour and Employment itself, in 1959. The Committee, therefore, after considerable deliberations, on more than one occasion, ultimately thought it fit to integrate what continued to exist essentially as a labour welfare measure in practice, though not included in its scope. In our definition of labour welfare, therefore, we have integrated social security measures with the conventionally known labour welfare measures. In fact, therefore, we have scientifically synthesised what has continued to exist as a segment of labour welfare without having been owned and acknowledged. Originally this decision was unanimous though in our later deliberations the employers did seem to have second thoughts over it for reasons best known to them.

There are quite a sizeable number of establishments in various industries which have continued to pay retiral benefits to their workers on their own or as a result of collective agreements. This amply bears out the fact that the employers do realise that provision of these benefits are essentially measures of labour welfare. We have in our recommendations only sought to universalise this practice and have suggested legislation on the subject solely to remove discrimination as also to ensure that an absolutely essential welfare measure of this nature should be available to workers of all industries.

It is a fact that the employers' representatives on the Committee did raise the issue that adequacy or otherwise of the existing welfare amenities to the working class should be judged in the context of the national economy. It was explained to them that national economy was too wide a term to be interpreted scientifically and precisely for purposes of reviewing welfare amenities for industrial workers. According to information available with the Committee no scientific studies have been conducted anywhere so far in any industry, either by the Government of India or by State Governments or by employers themselves, to reach any reliable conclusion as to the relation of expenditure on welfare amenities to the economy. Any reference to capacity or economy for provision of welfare amenities, is therefore, subjective and better not be relied upon as an argument based on mere conjectures.

It has been said that there should have been an attempt to differentiate between benefits which can be provided by the employer and which are part of the social benefits which the State has to provide to the community as a whole. Medical aid, housing, education, recreation, transport, etc. fall into the latter category and should not be required to be provided by the employer as a statutory obligation. In a nutshell, it means that provision of welfare amenities outside the workplace should be voluntary and there should be no element of compulsion in it. I would have been the happiest person if voluntary arrangements had been sufficient, uniform and constant. I am glad the employers have felt that these welfare measures should be provided to the workers. The only moot point is who should provide these facilities. In the coal mines, a Welfare Fund exists. Created out of a nominal cess on coal, this Welfare Fund has considerably augmented the efforts of the employers in all spheres. The employers have not only appreciated the achievements of the Fund but would even like it to enhance its activities for the benefit of the workers. The utility and the need of these welfare amenities has, therefore, been fully established and accepted by the employers as well.

A careful perusal of the Recommendations on these subjects in the Report would amply bear out the fact that we have involved the State in the provision of these amenities and have urged upon the employers that they too, both as employers as also citizens belonging to the richer strata of society, should play a more vigorous part in co-ordinating the basic welfare amenities outside the work place to the workers, from whose labour they directly benefit.

There are quite a large number of employers in this country who have on their own provided medical facilities of a very high order for the benefit of the workers and their families. Surely they have not done so out of any compulsion. No legislation is necessary for them but I wish others could be like them even in varying degrees. The capacity to pay is there; it is the will to give that lacks and it is here that legislation has to be brought in.

Housing is a basic welfare necessity. ILO has been quoted against the Committee's recommendation that employers must provide, at least, 20% of the houses required for their workers. Surely everything of ILO level cannot be and is not applicable to Indian conditions. We had realised that

the State has to play a major role in the provision of housing facilities. That is why the contribution of the employer has been kept at a low figure of 20% only. There are employers who have already done much more than this limit. I am confident no employer would invest in any sector which he feels will not be rewarding and is not essential. It is not as much a question of capacity to pay as a question of the basic approach and philosophy, of how much importance a person attaches to human material which consumes itself in the process of production, the gains of which go substantially to the employer. If we view this recommendation in this context, the employers would certainly be able to muster will and funds to translate this recommendation into practice.

Education and recreation are two fields where we have already urged that the State should play a more active role in the case of industrial workers and their children. The employer has only been asked to reciprocate and cooperate in the provision of these amenities to workers and their children on an increasing scale. There can hardly be two opinions that the worker and his family has to be provided with amenities which not only protect them from stagnation but also enable workers' children to have an outlook and knowledge of life and facts consistent with the aims and objectives laid down in our Constitution. I would not like to go into the details of the extent to which a large number of employers have provided educational and recreational facilities for workers and their children. They have done so neither out of compulsion nor as a result of legislation but out of a conviction that provision of these amenities is essential if they want to ensure that their workers identify themselves completely with the machine of which they are a part and do not suffer from any distractions hampering them from giving their best to their employers.

Our terms of reference enjoined upon us to suggest measures for introducing welfare schemes for rural labour in general with particular reference to agricultural labour. The employers, in their Note of Dissent, have referred to one of the recommendations of the Committee suggesting certain minimum welfare amenities to be provided by the agricultural employers statutorily and have said that it has been made without taking cognizance of administrative difficulties etc. into consideration. I must admit that this is a new field in which we were asked by the Government to do some pioneering work, which we have essayed to do within the well-known limitations. Our recommendations in the field of agriculture specially are guidelines which will undoubtedly be gone into in greater details by the Central as well as the State Governments. Their feasibility will be fully examined and ways would be found to give them a shape. I am convinced that there is no dearth of administrative ingenuity in the country to give concrete shape to the policy decisions, once a policy decision is taken. I have, therefore, no doubt in my mind that the administrators will, in course of time, be able to make possible and realistic what *prima facie* seems to some to be arbitrary to-day. Political and social values in the country and the directions of the Constitution do not brook any more delay in the provision of welfare amenities to agricultural workers. If we delay it still further on grounds of administration and feasibility we shall, in my opinion, do so at the cost of political and social stability.

A reference has also been made that we have defined basic minimum welfare amenities "in an expansive manner". It has also been said that we have suggested their universal application without paying due regard to the capacity of the smaller units. This is not factually correct. We have recognised the fact that smaller units cannot and should not be burdened to provide on their own all the basic minimum welfare amenities. That is why we have suggested in the Report that the Law should be suitably amended to provide for pooling of services on a joint basis by smaller establishments located in an administratively manageable contiguous area. We have also suggested the institution of Statutory Labour Welfare Boards primarily to assist these units in the provision of welfare amenities to workers and their families. The larger units in various cases are doing much more than even the Law can provide, on their own because the Law has to be for the average units and it only lays down a minimum standard to be followed and ensured. It has been said by the employers that small units should be encouraged wherever possible to introduce welfare benefits on a voluntary basis. This suggestion seems to be self-defeating. If they have no capacity how can they organise themselves on voluntary basis! The State must come to their rescue to augment their capacity and this can only be done through legislation. In this process we have also appealed to workers to contribute to the resources of the Statutory Labour Welfare Funds, though nominally, so that they could enjoy the benefits of basic minimum welfare amenities which would be much more than the contribution that they pay. The workers' representatives on the Committee have objected even to this nominal contribution. I am confident that they would withdraw this reservation in course of time when they realise that the benefits that they receive in return are much more than what they contribute.

Another important point on which I would like to record my observation is the objection raised by employers, as well as by the representative of the Ministry of Railways, to the increase in the quantum of cess from the present limit of 49.21 paise to Re. 1 per metric tonne of coal to augment the resources of the Fund. I must say I am really surprised at the objection of the employers at this stage when at no time during the course of discussion in the Committee any objection has been raised to this recommendation. Same was the case with the representative of the Ministry of Railways. As a matter of fact the employers' representative having an interest and background of coal mines has been constantly championing the cause of extending the area of activities by the Coal Mines Labour Welfare Fund and also of augmenting the resources of the Fund by increase in the levy to Re. 1. As a matter of fact the recommendation that a General Miners' Fund be created is based solely on the fact that the services rendered by the Coal Mines Labour Welfare Fund have been appreciated by all concerned including the employers' representatives. What has led the employers to have a second thought on it is a matter which I leave to them! The objection of the representative of the Ministry of Railways is also surprising. According to him "this levy would naturally result in an increase in the price of coal to be consumed by the Railways and would mean an extra cost of nearly Re. 1 crore per annum in the operating expenses of the Railways, which they are hardly in a position to afford at

this juncture". According to my understanding and experience, both of labour field and of the functioning of the Government, recommendations of the Committees like that of ours are never meant for a particular point of time.

The employers have said that this recommendation will aggravate resistance on the part of consumers to pay more for the coal. I am not aware of any fall in the consumption of coal as a result of the existing levy or even due to the implementation of the Wage Board recommendations, if at all we can say that those recommendations have been implemented. I therefore feel that this increase in the cess on coal should not cause any misapprehension to the employers or to the Railways.

There is a joint minute of dissent by employers' and workers' representatives, which reads: "We are of the view that the institution of Welfare Officers in its present form is not serving any useful purpose and should be done away with, as employers are responsible for proper implementation of statutory welfare measures and trade unions and inspecting staff of the Government can take care of due implementation of these measures".

This is one of the subjects on which considerable time had been devoted by the Committee in its deliberations. Welfare of a worker is increasingly becoming a specialised task. A good number of institutions have been functioning in the country on the recognition of this fact that specialised persons are needed to look after the implementation of welfare amenities in larger undertakings. The persons should be suitably qualified. They must have a proper bent of mind to do this job. To me it seems that both the employers and the workers, representatives have been prompted to suggest abolition of this institution for different reasons. Trade unions generally feel that a welfare officer is an employer's man and he performs functions opposite to what he is expected to do. Employers perhaps want to get rid of the financial burden of having to appoint an officer exclusively for the purpose. We have in our recommendation suggested that one of the Officers of the personnel department of undertakings should look after the duties of a welfare officer as required by law and should have necessary qualifications to do this job. It is difficult to accept that any officer, right from foreman to manager of a concern, leave aside the occupier or the proprietor, would have necessary time at his disposal to look after the proper and effective implementation of labour welfare measures as also to give guidance and advice to workers in resolving their personal problems. It is alright in theory to say that it is the occupier who must fulfil his statutory obligations and it is for the enforcement machinery of the State to ensure that the obligations are fulfilled. Neither the employers nor the workers, I am sure, can deny that implementation of statutory obligations is not effective, a fact which was mentioned before the Committee in almost all the States. This has also been stated by the workers in their note of Dissent over and above the support given by them to the enhanced penalties recommended in the Report. The relevant portion of the note says "We are of the opinion that in view of increasing breaches of law, non-implementation of statutory obligation, a deterrent punishment of imprisonment may be provided for repeated violations, rather than

fine, as has been recommended by the Committee at a number of places. The law should also be amended to treat a breach of law as a continuing offence until rectified." It is, therefore, very clear that the argument advanced in the joint note of dissent for the abolition of the welfare officer does not cut much ice.

There are many other points on which the employers have dissented. I do not propose to comment on other issues that they have made in their Note of Dissent. All the recommendations of the Committee have been adequately reasoned out in the Chapters of the Report. It is now for the Government to take decisions on our recommendations.

While concluding my comments on the Notes of Dissent, I would only like to emphasise that no one can stem the rising aspirations of the working class which is an active participant in the creation

of wealth in the country. That there is an urgent need to lift the working class and their families from the non-too-enviable environments in which a majority of the workers have continued to remain submerged for indefinite period of time either on the basis of cost or of administrative feasibility or any other considerations. I do not for a moment propose that labour welfare should be carried to an extent to which it may retard the growth of industry and employment potential that it creates, which too is of very vital importance in a labour-intensive country like ours. What is really essential is that a climate of better understanding and element of give and take and a situation of dedication has to be created in the industrial field to lessen the tensions and the mutual distrust in which, I am firmly convinced, provision of welfare amenities have a very wide role to play.

New Delhi.

Dated the 26th June, 1969

R. K. Malviya

Chairman



APPENDIX I
GOVERNMENT OF INDIA
MINISTRY OF LABOUR, EMPLOYMENT &
REHABILITATION (DEPARTMENT OF
LABOUR & EMPLOYMENT)

New Delhi 5th August 1966

RESOLUTION

LWI(I)30(3)/65—In order to examine the functioning of the various welfare schemes in operation in industrial establishments and to suggest improvements, the Government of India have decided to constitute a Committee to go into all aspects of the matter and to make recommendations to Government. The composition of the Committee will be as follows :—

1. Shri R. K. Malviya—Chairman.
2. Shri T. V. Anandan, Member, Rajya Sabha—Member.
3. Shri P. Basis Reddy, Ex-M.L.A., Cuddapah, Andhra Pradesh—Member.
4. Shri Nathune Ram, M.L.A., Chaibasa, Bihar—Member.
5. Coal Mines Welfare Commissioner, Dhanbad—Member.
6. Shri B. B. Nag, Deputy Secretary, Ministry of Industry and Supply—Member.
7. One representative of the Ministry of Railways—Member.
8. One representative of the Ministry of Mines and Metals—Member.
9. Shri A. S. Nag, Deputy Secretary, Government of West Bengal, Department of Labour—Member.
10. Welfare Commissioner, Maharashtra Welfare Board, Member—Bombay.
11. Commissioner of Labour, Madras—Member.
12. Shri Ram Agrawal (All India Manufacturers' Organisation)—Member.
13. Shri R. Lall (Indian Mining Association, Calcutta)—Member.
14. Shri V. I. Chacko (All India Organisation of Industrial Employers)—Member.
15. Shri V. V. Dravid (INTUC)—Member.
16. Shri Phani Ghosh (Hind Mazdoor Sabha)—Member.
17. Shri K. G. Srivastava, (AITUC)—Member.
- 18.

The eighteenth member will be Member Secretary whose nomination will be announced later.

2. The terms of reference will be as follows :—

- (a) to review the Statutory and schemes in industry in the private sector including mines
- (b) to make such recommendations as may be deemed necessary for introducing
- (c) to examine and Welfare Funds, Provident Fund and Miscellaneous be created;
- (d) to suggest measures for welfare schemes for labour; and
- (e) to consider any other matters referred to the Committee.

Sd/- N.

*Joint Secretary to
Ministry of Labour, Emp
(Department of)*

ORI

Ordered that a copy be forwarded to :—

- (i) All State Governments
- (ii) All India Organisations of Workers.
- (iii) Ministries of the Government
- (iv) Members of the Parliament
- (v) Chief Labour Officer, Delhi.
- (vi) Director, Labour, Delhi.
- (vii) Director, General, Delhi.

Ordered also that the resolution be published in the Gazette of India for

Sd/- N.

*Joint Secretary to
Ministry of Labour, Emp
(Department of)*

APPENDIX II(A)
COMMITTEE ON LABOUR WELFARE
QUESTIONNAIRE

The Questionnaire is intended to elicit the views of employers/unions/State Governments/organisations/individuals, etc. It is not necessary for them to answer all the Parts or all the questions in a particular Part, though the Committee would welcome their views on as many of the subjects as they may like to deal with.

PART—I

INTRODUCTORY

1. (i) Name of the person/undertaking/organisation/State etc., (ii) Full postal address.

2. Please state the Central Organisation of Employers/Employees to which your unit/organisation is affiliated if any.

3. If it is an undertaking, please state—

(a) Nature of industry with which you are connected (As per the list of industries attached at Annexure I);

(b) Total* number of persons employed as on 1st January, 1967.

(i) Number of direct workers employed as:

Permanent
Temporary.
Casual.
Others.

(ii) Number of contract workers, if any, employed as:

Permanent
Temporary
Casual
Others.

(c) year-wise† labour cost during 1962, 1963, 1964, 1965, and 1966‡ (separately for § workmen and officers).

(d) amount spent on labour welfare || year-wise during 1962, 1963, 1964, 1965 & 1966‡ (separately for workmen and officers);

(e) what is the annual average expenditure per employee on labour welfare and what percentage does it bear to the total labour cost per employee?

(f) what is the annual average expenditure on all employees on labour welfare and what percentage does it bear to the total cost of production?

4. (a) Have you any labour welfare scheme of your own in your unit? If so, please append a copy of the same.

(b) Has any Government agency or non-Government research body ever reviewed or studied the working of labour welfare facilities provided in your unit? If so, please supply a copy of the study/report.

(c) Has the unit implemented the recommendations of the reviewing body mentioned in (b) above?

SCOPE OF LABOUR WELFARE MEASURES

5. Do you consider that the content of the term 'Labour Welfare' as defined in the I.L.O. Resolution 1947* can be enlarged further to cover a wider sphere of welfare activities? If so, please indicate the extent to which it could be enlarged.

6. (a) Provisions in the statute book pertaining to labour welfare apply only to undertakings employing more than a specified number of workers. Do you consider that the existing limits are justified?

(b) If not, what changes would you suggest in the minimum number of workers prescribed for provision of different facilities (canteens, creche, etc.)?

*In the case of seasonal factories the figure should be daily average of the latest season. In the case of industries like plantations where employment fluctuates throughout the year, the figure should be average for the whole year.

†Labour cost comprises wages (basic and D.A.), premium for overtime and late shifts, bonuses (profit bonus, incentive bonus and attendance bonus), social security contributions (both obligatory and non-obligatory), subsidies expenditure on welfare amenities (both statutory and non-statutory and other payments both in cash & kind).

‡If your accounting/financial year does not coincide with the calendar year, please give information for your accounting/financial year corresponding to the calendar years specified above.

§For the purposes of this Questionnaire the definition of workmen will be as given under the Industrial Disputes Act, 1947.

|| The nearest definition of labour welfare is given in the I.L.O. Resolution, 1947 which stipulates: "Such services facilities and amenities as adequate canteens, rest and recreation facilities, sanitary and medical facilities, arrangements for travel to and from work and for the accommodation of workers employed at a distance from their home, and such other services, amenities and facilities as contribute to improve the conditions under which workers are employed." However, the concept of welfare is flexible and differs from time to time and even from undertaking to undertaking. Information regarding expenditure on labour welfare amenities may, therefore, be furnished in respect of all such items as are construed to be labour welfare amenities in your unit.

(*) Footnote not given (For definition of the I.L.O. Resolution, please see Foot-note to Question No. 3 (d))

PART—II.

WELFARE FACILITIES INSIDE THE ESTABLISHMENT

Canteens and Mess Rooms.

7. (a) Does the unit provide any canteen(s) for the employees?
- (b) If so, what is the number of canteens, total seating accommodation in all canteens, and their working hours (especially during night-shifts, if any);
- (c) Please indicate whether the canteen service is satisfactory.
8. (a) Are the items in the canteen(s) sold on a no-profit-no-loss basis/at market price/at a subsidised rate?
- (b) If the items are sold at a subsidised rate, what is the extent of subsidy?
- (c) Is there any system of providing free lunch or snacks to workers?
- (d) Is there any arrangement for serving workers' tea or snacks at their work place? If so, specify details.
9. (a) Is/are the canteen/canteens run by the employer/Canteen Managing Committee/Workers' Cooperative Society/Contractors?
- (b) Indicate the manner in which the canteen service is financed.
10. What type of canteen facility is available to workers dispersed over wider work areas?
11. Is there any system of inviting suggestions to improve the working of the canteen(s)?
12. Is the existing number of canteens adequate for all the workers in the area? If not, how is their demand met?
13. Whether the canteens are fully patronised by workers? If not, is it due to lack of sales on credit? Should credit sales be provided for in the statute with, of course, permissible deductions from wages? If the latter, give details of the arrangements.
14. (a) Are the guiding principles, specifications and standard laid down in the law for maintaining the Canteen(s) adequate?
- (b) If not, what modifications would you suggest?
15. Apart from the canteen(s), is there any mess room or other suitable place where workers can prepare/heat up their meals?

16. (a) Is the existing Inspectorate adequate for ensuring the observance of the legal provisions in respect of Questions 14 and 15?

- (b) If not, what changes would you suggest to make the Inspectorate more efficient?

Creche.

17. (a) What is the total number of women employees in the unit?
- (b) Is there any creche in the unit to take care of the children of the women workers?
- (c) If so, is the creche situated near the work place in congenial surroundings? Is it properly maintained, equipped and staffed?
- (d) What is the capacity of the creche?
- (e) What is the average daily number of children attending the creche?
- (f) Is the creche maintained exclusively for the unit, or jointly catering for the neighbouring units too? If the latter, specify details of the arrangement.
18. Are the children attending the creche supplied with clothes, milk, refreshments, etc.?
19. What is the annual expenditure on the creche in the unit?
20. (a) What improvements would you suggest in running the creche?
- (b) Do you consider that along with the creche there should be provision of nurseries/kindergarten classes for the education of workers' children?
- (c) If so, should such classes be confined to children attending the creche or be extended to children of workers in the unit generally?

Fair price shops*

21. (a) Is any fair price shop run in the premises for the benefit of the employees?
- (b) If so, what are the commodities sold?
- (c) How do the prices charged compare with the prevailing market rates?
- (d) Is the shop run on non-profit basis?
22. Is the fair price shop financed wholly by the employers or partly by the employers and partly by the employees**?
23. What other facilities have been provided by the employers for the fair price shop?

Other facilities.

24. (a) Is supply of drinking water at the work-place adequate?

*See also separate question (No. 44) on Cooperative Stores.

**In case the shop is financed partly by the employers and partly by the employees, the extent of the cash subsidy towards the selling price of articles, assistance like accommodation, supply of water and electricity, managerial subsidy, working capital loan etc. granted by the employer should be specified.

- (b) Are arrangements for conservancy and sanitation at the work-place satisfactory?
- (c) Are First-aid boxes/rooms and ambulances at work-places provided?

PART—III

WELFARE FACILITIES OUTSIDE THE ESTABLISHMENT

Transport facilities.

- 25. (a) Is there any suitable arrangement in the unit for parking of worker's vehicles (roofed cycle stands, etc.)?
- (b) Are there suitable arrangements for looking after their safety? Is any charge levied by the Management? If so, please give details thereof.
- (c) What is the percentage of workers coming from long distances say—
 - (i) over two miles;
 - (ii) over five miles;
 - (iii) over ten miles.
 and what are their modes of transport?
- (d) What arrangements, if any, have been made by the unit or establishment for the transport of workers from their place of residence to the work-place and back?
- (e) Where such transport is provided, what are the charges, if any?
- 26. Give your opinion on :—
 - (a) The adequacy or otherwise of the public transport services.
 - (b) Securing necessary changes or improvements in transport services.
 - (c) Staggering times of starting and closing of units to minimise workers' difficulty in regard to transport.
 - (d) Payment of transport allowance to workers residing at long distance and principles governing the same.

Medical and health facilities.

(Question Nos. 27 and 28 are to be replied only in respect of facilities not covered by the E.S.I. Scheme).

- 27. (a) What arrangements exist for providing outdoor and indoor medical facilities in the unit or jointly with other units to workers and their families?
- (b) and at what cost?
- (c) Is there any system of sharing the expenditure on treatment between employers and workers?
- (d) Is there any arrangement for domiciliary treatment? If so, specify details.
- (e) Is there any arrangement for specialists, or specialised treatment in case of persons suffering from serious ailments or T.B., venereal diseases, cancer, leprosy, mental diseases? If so, give details.

- (f) Are dentures, spectacles, artificial limbs, etc. supplied or fitted free of cost or on payment or part-payment? If on part-payment, indicate details.
- (g) Give details about maternity and child welfare centres in the unit, if any.

- 28. Are there arrangements to investigate and treat the occupational diseases?

- 29. (a) What is your opinion regarding setting up of sanatoria, health resorts, clinics and rest homes in places known for salubrious climate such as sea shores, hill stations, and places gifted with specific curative properties like sulphur springs to help promote the health of working class people and industrial efficiency?
- (b) If you favour these measures, please elaborate your views and submit outlines for a scheme. If any of these facilities are available to workers of your establishment, please append details of the same.

Family planning.

- 30. (a) Are there any arrangements in the unit to:—
 - (i) furnish information on family planning;
 - (ii) supply contraceptives free or otherwise;
 - (iii) perform sterilization, I.U.C.D. insertions;
 - (iv) give rewards for sterilization; and
 - (v) promote child welfare?
- (b) What is the reaction of the workers to the family planning programme?
- (c) Does the unit get any assistance under the Family Planning Scheme?

Educational facilities.

- 31. (a) What educational facilities are available to the children of the workers?
- (b) Indicate concessions given to them regarding tuition fees, books, stationery, mid-day meals, etc.;
- (c) Offer suggestions to improve the educational facilities available to the workers' children.
- 32. (a) Are existing arrangements to impart adult education to workers satisfactory? If not, what changes and improvements do you suggest?
- (b) Should any incentive be given to workers to make them more interested in receiving education?
- 33. Should adult education for workers be made compulsory under law? Which agency should be made responsible for it?
- 34. Should any scheme of spreading literacy among industrial workers be extended to adult members of the workers' family also?

35. What role would you assign to the Workers' Education Board in any scheme of adult education for industrial workers and their families?

Recreation facilities.

36. (a) What are the recreation facilities provided in the unit and availed of in welfare centres/workers' clubs?
- (b) Are these facilities satisfactory and adequate? Are they provided free?
- (c) Do you favour legislation in this sphere of labour welfare?
37. How are these facilities financed and administered? Can you offer suggestions for their improvement?
38. Are there any special institutions such as the Grah Kalyan Kendra to impart training to women workers during Off hours in crafts, music, dancing, etc. to supplement their family income?
39. (a) Offer your views on the utility and practicability of arranging sight-seeing visits, conducted tours etc.;
- (b) What agencies would be required to co-operate and in what manner, if these schemes are to be put through successfully?
- (c) How should the cost on them be financed?
- (d) Are Health Weeks, Welfare Weeks, etc. organised to arouse the workers' enthusiasm regarding the welfare measures being undertaken for them and to ensure better participation on their part?

Housing.

40. (a) Is there any housing scheme for workers in the unit?
- (b) If so, what is the percentage of workers covered by it?
- (c) What is the percentage of workers who have reasonably good accommodation of their own, of those who have some unsatisfactory accommodation and of those who are without accommodation?
- (d) Is there any phased expansion programme to provide accommodation to more employees? If so, what is the percentage of workers to be covered during the next five/ten/fifteen years taking into consideration the expansion programme of the industry?
41. (a) Is there any workers' cooperative house-building society?
- (b) How far have the workers succeeded in their cooperative effort?
- (c) What assistance have the employers given to workers to build their own houses?

42. (a) Are the existing housing facilities provided to workers of adequate standard*? If not, please give your suggestions for improvement.

(b) Is any rent being charged for these houses from workers? If so, is the rent subsidised to any extent? Are there any other charges recovered from the workers for occupation of these houses? Give details.

(c) What arrangements exist for the maintenance and repairs of these houses? Are they satisfactory?

43. Give your opinion, with suggestions for modifications, if any, on the different housing schemes formulated by the Government which you are availing of.

Cooperative and saving facilities—

44. (a) Is there any registered Co-operative store in the unit for the benefit of the workers?
- (b) If so, what is its membership, owned assets (share capital any reserves) total working capital and annual turn-over?
- (c) What are the essential commodities† sold by the Store?
- (d) Is it running at a loss or ineffectively? If so, indicate reasons and suggest possible remedies.
- (e) Give details of assistance, if any, given to the store by the employer by way of share capital contributions, clean credit facilities, working capital, loan, accommodation free or at a nominal rent, managerial subsidy, facility of recovering dues by deduction from the wages of workers, transport facilities, etc.?
- (f) Indicate to what extent the employer is participating in the management of the store.
45. (a) Is there any cooperative credit society in the unit?
- (b) If so, what is its membership, owned assets (share capital and reserves), total working capital and annual turn-over?
- (c) To what extent an interest free loan or loan at nominal interest is provided by the employer?
- (d) How far has the credit society succeeded in meeting the demands of the workers?
- (e) What is the rate of interest charged by the society on the loans made?
- (f) Is it running at a loss or ineffectively? If so, indicate reasons and suggest possible remedies?
- (g) Give details of assistance, if any given to the society by the employer by way of share capital contributions, clean credit

* i.e. floor space, number of rooms, bath-room and kitchen facilities, water tap, court-yard, etc.

† includes food-grains, textile, pulses, cooking medium, kerosene oil, baby food and washing soap.

facilities, working capital loan, accommodation free or at a nominal rent, managerial subsidy, facility of recovering dues by deduction from the wages of workers.

- (h) Indicate to what extent the employer is participating in the management of the society.
46. Are there any arrangements made by the employer to receive saving deposits from the employees? Please specify the arrangements and the rate of interest paid.

Distress relief and cash benefits.

47. (a) Do you favour provisions for relief in case of distress like death, injury, sickness, etc. and for felicitation grants in case of marriage, etc.? If so, indicate the manner of administering the same.
- (b) Is there any system of making festival advance? If so, what is the scheme?

PART—IV.

GENERAL

48. (a) Review the existing administrative arrangements for implementing welfare measures at the unit and at the State level.
- (b) The role and status of Welfare Officer has been a matter of some controversy; some persons hold that he should be statutorily protected and he should not deal with personnel matters ordinarily, unless the establishment was too small to have a separate Personnel Officer; others hold that a Welfare Officer can be effective only as long as he enjoys the confidence of the employers and any statutory protection encroaches on that confidence. What is your opinion?
49. Are the workers participating in the administration of welfare amenities? If so, how?
50. Are the guiding principles, specifications and standards adequately laid down in the law for providing sanitary and hygiene facilities, rest facilities, first-aid and medical care facilities, facilities for women workers (creche etc.) etc.
51. (a) Is the existing Inspectorate adequate for ensuring the observance of the legal provisions pertaining to labour welfare?
- (b) If not, what changes would you suggest to make the Inspectorate more efficient?
52. (a) Do you favour a basic minimum of welfare amenities in all industries, whatever be the economic position or nature of organisation? If so, please spell out what this minimum should be?
- (b) Should there be any uniformity in the percentage that expenditure on labour

welfare should bear to the total Labour cost in all industries irrespective of their economic position, state of development, organised or unorganised nature etc.?

53. To what extent do welfare amenities in your unit help in improving labour efficiency and labour-management relations?
54. In the case of smaller units, do you think it is practicable to provide jointly with other units the welfare amenities like canteens, creche, transport, medical aid, education, recreation, housing etc.? If so, how should the arrangements, financing and administration of welfare amenities in such cases be planned?
55. How far can trade unions and employers' organisations cooperate in the field of labour welfare? How far is legislation necessary?
56. To what extent need the welfare efforts of the trade unions and employers' organisations be supervised by State agencies and supplemented by State effort?
57. Review the arrangements for financing the welfare activities by different agencies.
58. (a) The Labour Ministers' Conference at its 17th Session held in July 1966 desired that Government might explore the possibility of setting up industrywise statutory welfare funds on the lines of Coal and Mica Mines Labour Welfare Funds* for all industries not yet covered by such funds. Give your detailed views on the desirability of setting up these funds for other industries.
- (b) If you support the idea of industrywise statutory welfare funds for other industries, should they be set up in all industries or only in some industries or group of industries. If the latter, please specify the names of such industry or group of industries along with the reasons for limiting the proposal to these industries.
- (c) Please indicate the amount of maximum cess that should be levied for setting up such funds in respect of each industry or group of industries, keeping in view their economic position.
59. (a) The Labour Ministers' Conference at its 17th Session held in July 1966 drew attention to certain difficulties in financing welfare activities under the State Labour Welfare Funds, particularly in view of a High Court decision disallowing transfer of 'fines' and 'unpaid wages' and their utilisation in connection with welfare activities. Considering these difficulties, it is felt that the only satisfactory way is to have legislation on all-India basis for creating a fund for labour welfare activities in all industrial centres in the country by equal contributions from workers,

*For salient features of the Coal Mines Labour Welfare Fund, Mica Mines Labour Welfare Fund and Iron Ore Mines Labour Welfare Fund, please see the relevant portions of the Annexure II.

employers and the Central and State Governments. Please give your opinion.

- (b) If you favour such a central fund, do you agree with the suggestion of equal contributions from workers, employers, Central and State Governments, or will you suggest some other basis of individual contributions?
- (c) Do you feel that the authority to administer the Unified Labour Welfare Fund should vest in an autonomous body representing the interests concerned?
- (d) In such a case, would you consider that a three-tier administrative set up (Central, State/Regional and local level) should be established?

- 60. Considering the fact that peculiar conditions of workers such as women workers, young workers, handicapped workers, casual workers, contract workers, etc. warrant special consideration in the matter of welfare, please suggest ways and means to tackle their problems.
- 61. Any other suggestions that you would like to make.

ANNEXURES

- I. List of Industries.
- II. Summary of different Acts regarding provisions for labour welfare.



ANNEXURE I

LIST OF INDUSTRIAL CLASSIFICATION*

(Reference Question No. 3(a))

I. AGRICULTURE, FORESTRY, FISHING, ETC.

1. Agriculture and Live Stock Production—

- (a) Cultivation and tillage of soil, dairy farms, etc.
- (b) Plantations—
 - (i) Tea.
 - (ii) Coffee.
 - (iii) Rubber.
 - (iv) Others.
- (c) Gins and Presses.

2. Forestry & Logging.

3. Fishing.

II. MINING AND QUARRYING.

- 1. Coal Mining.
- 2. Iron Ore Mining.
- 3. Manganese Mining.
- 4. Gold Mining.
- 5. Mica Mining.
- 6. Other Mining Industries.
- 7. Crude Petroleum and Natural Gas.
- 8. Stone Quarrying, Clay and Sand Pits.

III. MANUFACTURING.

- 1. Slaughtering, preparation and preserving of meat.
- 2. Manufacture of dairy products.
- 3. Canning & preservation of fruits, vegetables, fish, etc.
- 4. Grain Mill Products—
 - (a) Flour Mills.
 - (b) Rice Mills.
 - (c) Dal Mills.
- 5. Bakery Products.
- 6. Sugar Factories and Refineries—
 - (a) Sugar.
 - (b) Gur.
- 7. Manufacture of Cocoa, Chocolates; sugar Confectionery.
- 8. Miscellaneous Food Preparations—
 - (a) Edible Oils (other than Hydrogenated Oils).

(b) Hydrogenated Oil Industry.

(c) Decortication of groundnut.

(d) Tea Factories.

(e) Coffee curing works.

(f) Cashewnut Industry.

(g) Starch.

(h) Cold Storage.

(i) Salt Refineries.

(j) Others.

9. Distilleries, Breweries (including Power Alcohol Manufacturing) and rectifying and blending of Spirit.

10. Soft Drinks and Carbonated Water Industries.

11. Tobacco Products—

(a) Bidi.

(b) Cigarette.

(c) Others.

12. Spinning, Weaving and Finishing of Textiles—

(a) Cotton.

(b) Jute.

(c) Silk.

(d) Wool.

(e) Others.

13. Knitting Mills.

14. Footwear.

15. Manufacture of Wearing Apparel (except Foot-wear)—

(a) Clothing.

(b) Umbrellas.

(c) Others.

16. Wood and Cork (except Furniture)—

(a) Saw Mills.

(b) Plywood.

(c) Joinery and general wood working.

(d) Boxes and Packing cases.

17. Manufacture of Furniture and Fixtures—

(a) Wooden.

* While indicating the name of industry in your reply, please record full name of the industry as given in this List. In case the unit belongs to one of the sub-groups under an industry, the name of the sub-groups may also be indicated in bracket after the name of the industry. For example, in the case of a Tea Plantation unit, the reply to Question No. 3 (a) in the Questionnaire will be : Plantations (Tea).

- (b) Metal.
 - (c) Others.
 - 18. Paper and Paper Products.
 - 19. Printing, Book Binding etc.
 - 20. Tanneries and Leather Finishing.
 - 21. Manufacture of Leather Products (except Foot-wear and other Wearing Apparel).
 - 22. Rubber and Rubber Products except Foot-wear.
 - 23. Basic Industrial Chemicals including Fertilizers—
 - (a) Heavy Chemicals.
 - (b) Artificial Manures.
 - (c) Ammunition.
 - (d) Plastic Materials.
 - (e) Turpentine and Rosin.
 - (f) Indigo.
 - 24. Vegetable and Animal Oils and Fats (Except Edible).
 - 25. Miscellaneous (Chemical and Chemical Products)—
 - (a) Medical and Pharmaceutical Products.
 - (b) Soaps.
 - (c) Paints, Varnishes and Lacquers, etc.
 - (d) Matches.
 - (e) Lac (including Shellac).
 - (f) Dyes.
 - (g) Others.
 - 26. Petroleum Refineries.
 - 27. Coke Ovens.
 - 28. Manufacture of Miscellaneous products of petroleum and coal.
 - 29. Glass and Glass Products (except optical lenses).
 - 30. Pottery, China and Earthen-ware.
 - 31. Cement.
 - 32. Non-metallic Mineral Products not elsewhere classified—
 - (a) Mica Industries.
 - (b) Asbestos, Hume Pipes, Blocks and Prefabricated Products.
 - (c) Stone Dressing and crushing.
 - (d) Others.
 - 33. Ferrous (Iron and Steel).
 - 34. Non-Ferrous.
 - (a) Metal Extracting and Refining.
 - (b) Metal Conversion, Metal Rolling, Tube and Wire Drawing.
 - (c) Metal Founding.
 - (d) Rough Castings.
 - (e) Forgings.
 - (f) Others.
 - 35. Metal Products (except Machinery and Transport Equipment).
 - 36. Manufacture of Machinery (except Electrical Machinery).
 - 37. Electrical Machinery, Apparatus, Appliances and Supplies.
 - 38. Ship Building and repairing.
 - 39. Railway Workshops.
 - 40. Tramway Workshops.
 - 41. Manufacture and repair of Motor Vehicles.
 - 42. Manufacture of Bicycles.
 - 43. Manufacture and repair of Air-Craft.
 - 44. Manufacture of Professional Scientific Measuring and controlling instruments.
 - 45. Manufacture of Photographic and other optical goods.
 - 46. Manufacture and repair of watches and clocks.
- IV. CONSTRUCTION**
- (a) Construction, Reconstruction, Maintenance etc.
 - (b) Buildings, Highways, Roads, Bridges, Sewers, Drains and other Public Works.
 - (c) Rail Roads, Railways, Road Sheds, etc.
 - (d) Tramways, Air Ports, Docks.
 - (e) Irrigation and River Valley Projects.
 - (f) Others.
- V. ELECTRICITY, GAS, WATER AND SANITARY SERVICES**
- 1. Electricity, Gas and Steam—
 - (a) Generation, Supply and Distribution.
 - (b) Others.
 - 2. Water Supply.
 - 3. Sanitary Services.
- VI. COMMERCIAL ESTABLISHMENTS**
- 1. Banks and other financial institutions.
 - 2. Insurance.
 - 3. Commercial establishments other than Banks and Insurance.

VII. TRANSPORT AND COMMUNICATION

(other than work-shops).

1. Railways.
2. Tramways and Omnibus operators.
3. Motor Transport.
4. Air Transport.
5. Posts and Telegraphs.
6. Ports and Docks.
 - (a) Ports.
 - (b) Docks.
 - (c) Maritime/Seamen.

VIII. SERVICES

1. Medical & other Public Health Services—
 - (a) Services of Local Bodies.
 - (b) Hospitals and Dispensaries.
2. Recreation Services.
3. Restaurants, Cafes, Hotels, etc.
4. Laundries and Laundry Services, Cleaning and Dyeing.
5. Others.

IX. ACTIVITIES NOT ADEQUATELY
DESCRIBED



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ANNEXURE II

MAJOR STATUTORY LABOUR WELFARE PROVISIONS UNDER THE LABOUR LAWS

1. FACTORIES ACT, 1948

Managements are to—

- (i) comply with the requirements of the Act and the Rules framed thereunder in regard to the provision of welfare amenities prescribed therein, namely;
 - (a) washing facilities;
 - (b) seats for occasional rest for workers obliged to work standing;
 - (c) canteens, if employing more than 250 workers;
 - (d) shelters or rest rooms and/or lunch room, if employing over 150 workers; and
 - (e) creche, if employing more than 50 women.

Standards of various amenities to be provided are prescribed in the Rules framed by the State Governments;

- (ii) provide, wherever prescribed by the State Governments, suitable places in the factory or class of factories, for keeping workers' clothes during working hours or for drying their wet clothes;
- (iii) appoint Welfare Officers in factories ordinarily employing 500 or more workers to look after the welfare of the workers.

Managements are also to comply with the health provisions in the Act relating to cleanliness, disposal of wastes and effluents, elimination of dust and fumes, artificial humidification, overcrowding, lighting, drinking water facilities (arrangement for cool drinking water in summer in factories employing over 250 workers), urinals, latrines, spittoons, First Aid Boxes (one for 150 workers) and Ambulance facilities (in factories employing over 500 workers).

In Gujarat and Maharashtra, employers and managements of the undertakings covered by the Bombay Labour Welfare Fund Act, 1953, are also required to credit the proceeds of Fines realised from workers and all unpaid accumulations to a Fund constituted under the above Act. The Fund is being utilized for financing activities designed to promote the welfare of workers and their dependents.

2. MINES ACT, 1952

The main obligations of the managements are—

- (i) maintenance of creches;
- (ii) provision of shelters for taking food and rest if 150 or more persons are employed;
- (iii) provision of a canteen in mines employing 250 or more persons;
- (iv) appointment of a Welfare Officer in mines employing more than 500 persons to look after the matters relating to the welfare of the workers;

(v) provision in coal mines of (a) pit head baths equipped with shower baths, (b) sanitary latrines, and (c) lockers, separately for men and women workers.

(vi) Maintenance of first-aid boxes and first-aid-rooms (in mines employing more than 150 workers).

The standards and equipments to be kept in connection with the provision of these amenities have been prescribed in the Rules framed by the Central Government.

Managements in Coal and Mica Mines covered by Coal Mines Labour Welfare Fund Act and the Mica Mines Labour Welfare Fund Act are also required to contribute to the two Funds constituted under these Acts which are utilized to finance measures designed to promote the welfare of workers.

The Iron Ore Labour Welfare Cess Act, 1961 came into force from 1st October, 1963. The Act provides for the levy and collection of a cess on iron ore for financing welfare facilities for the workers employed in iron ore mining industry. The proceeds of the cess will be utilized for the operation of the fund which will be administered by an organisation similar to Coal Mines Labour Welfare Fund Organisation.

3. PLANTATIONS LABOUR ACT, 1951

Every employer is required to provide and maintain for every worker and his family residing in the plantation, the necessary housing accommodation.

The standard and specification of the accommodation, procedure for allotment and rent chargeable from workers etc., are to be prescribed in the Rules by the State Governments.

Other obligations of the management are—

- (a) provision of medical aid to workers and their families. The workers are also entitled, subject to any rules framed by the State Governments, to sickness allowance and maternity allowance;
- (b) provision for educational arrangements in the estate for the children of workers, where there are 25 workers' children between the age of 6 and 12;
- (c) provision for a canteen in plantations employing 150 workers;
- (d) provision of a creche in plantations employing 50 or more women workers;
- (e) appointment of a Welfare Officer in plantations employing 300 or more workers,

The exact standards of these facilities have been prescribed under the Rules framed by the State Governments.

4. THE MERCHANT SHIPPING ACT, 1958

Provision in the Act relating to health and welfare cover—

- (i) crew accommodation ;
- (ii) supply of sufficient provisions and water ;
- (iii) supply of necessities like beddings, towels, mess utensils ;
- (iv) supply of medicines, medical stores, surgical and medical advice etc ;
- (v) maintenance of proper weights and measures on board ; grant of relief to distressed seamen aboard a ship ;
- (vi) every foreign going ship carrying more than the prescribed number of persons including the crew is required to have on board as part of her complement a qualified medical officer ;
- (vii) appointment of Seamen's Welfare Officer at such ports in or outside India as the Government may consider necessary ;
- (viii) establishment of hostels, clubs and canteens, libraries etc.
- (ix) provision of medical treatment and hospitals ; and
- (x) provision of educational facilities etc.

The Government have been authorised to frame rules *inter alia*, for the levy of fees payable by owners of ships at prescribed rates for the purpose of providing amenities to seamen and for taking other measures for their welfare.

5. THE MOTOR TRANSPORT WORKERS ACT, 1961

Motor transport undertakings are to provide :

- (i) canteens of prescribed standard, if employing 100 or more workers ;
- (ii) clean, ventilated and well lighted and comfortable rest rooms at every place wherein motor transport workers are required to halt at night ;
- (iii) uniforms, rain coats to drivers, conductors and line checking staff for protection against rain and cold ;
- (iv) a prescribed amount of washing allowance to the above mentioned categories of staff ;
- (v) a first-aid box and such medical facilities for workers at such operating centres and halting stations as may be prescribed by the State Governments.

6. DOCK WORKERS (SAFETY, HEALTH AND WELFARE) SCHEME, 1961

A comprehensive Dock Workers' (Safety, Health and Welfare) Scheme, 1961 has been framed for all major ports and is administered by the Chief Advisor, Factories (Factory Advice Service and Labour Institutes). It is framed under the Dock Workers (Regulation of Employment) Act, 1948.

Amenities provided in the port premises include provision of—

- (i) urinals and latrines ;
- (ii) drinking water ;
- (iii) washing facilities ;
- (iv) bathing facilities ;
- (v) canteens ;
- (vi) rest shelters ;
- (vii) call stands ;
- (viii) first-aid arrangements.

Other Welfare Measures provided are—

- (a) housing ;
- (b) schools ;
- (c) educational facilities ;
- (d) grant of scholarships ;
- (e) libraries ;
- (f) sports and recreation ;
- (g) fair price shops ; and
- (h) cooperative societies etc.

Cost of amenities, welfare and health measures and recreation facilities for registered workers shall be met from a separate Fund called Dock Workers Welfare Fund which shall be maintained by the Board. Contributions to this Fund shall be made by all registered employers at such rate as may be determined by the Board. The Board shall frame rules for contributions for maintenance and operation of the Fund. Different rates of welfare levy at different ports have been fixed.

7. COAL MINES LABOUR WELFARE FUND ACT, 1947

The Act provides, *inter alia*, for the setting up of a fund called Coal Mines Labour Housing and General Welfare Fund.

The Act provides for the levy of a cess on coal and coke despatched from collieries ; the present rate of cess is 49.41 Paise per metric tonne i.e., the maximum permissible under the Act.

The proceeds are generally distributed between the Housing Account and the General Welfare Account in the ratio of 50:50.

The Fund is administered by the Coal Mines Labour Welfare Commissioner.

The activities of the Fund broadly classified under "Medical", "Housing" and "General Welfare" are—

- (a) Medical Facilities.

The Fund provides facilities like—

- (i) Central Hospitals at Dhanbad and Asansol ;
- (ii) Regional Hospitals ;
- (iii) Maternity and Child Welfare Centres ;

- (iv) Facilities for T.B. patients ;
- (v) Dispensaries (Allopathic and Ayurvedic) ;
- (vi) Treatment of Leprosy ;
- (vii) Treatment of Cancer ;
- (viii) Treatment of mental cases ;
- (ix) Health promotion centres ;
- (x) Family planning ;
- (xi) Supply of artificial limbs ;
- (xii) Welfare for the visually handicapped ;
- (xiii) Free supply of spectacles and dentures ;
- (xiv) Anti Malaria operations ;
- (xv) Filaria Survey.

(b) Housing Facilities—

The Fund has the following housing schemes—

- (i) construction of townships ;
- (ii) subsidy scheme ;
- (iii) subsidy-cum-loan scheme ;
- (iv) erecting, maintaining and repairing of accommodation and provision of facilities therein ;
- (v) low cost housing scheme including wooden houses ;
- (vi) Build your Own House Scheme ; and
- (vii) Cooperative Housing Scheme.

(c) Educational, Recreational and General Welfare Facilities—

The Fund provides facilities like—

- (i) adult and social education ;
- (ii) education of children of the miners ;
- (iii) crafts training for families of the miners ;
- (iv) Boarding Houses for school going children ;
- (v) Holiday Homes ;
- (vi) Scholarships and tuition fees ;
- (vii) children education allowance ;
- (viii) Bharat Darshan Tours ;
- (ix) games and sports ;
- (x) water supply ;
- (xi) cooperative societies and stores ;
- (xii) cooperative movement in coal fields ;
- (xiii) Yogic exercises ; and
- (xiv) Provision of transport to and from work.

8. MICA MINES LABOUR WELFARE FUNDS :

The rate of levy of cess on all mica exported from India has been at the rate of 2½ per cent *ad valorem*. The maximum admissible is 6½ per cent *ad valorem*. The cess is collected by Customs Department and credited to the Fund after deducting ½ per cent collection charges.

The activities sponsored by the Fund are as under—

- (i) improvement of public health and sanitation, the prevention of diseases and the provision and improvement of medical facilities.

The fund is maintaining a Central hospital, Regional hospitals, dispensaries, mobile medical units, maternity centres, child welfare centres. The fund also provides treatment facilities for T. B. patients, and leprosy patients ;

- (ii) provisions for improvement of water supply and facilities for washing ;
- (iii) provision and improvement of educational facilities fund in running multi-purpose institutes imparting adult education, schools for children, crafts training for families etc. ;
- (iv) the improvement of standards of living, including housing and nutrition, the amelioration of social conditions, fund has programmes for housing such as subsidy scheme, subsidy-cum-loan scheme, new subsidised housing scheme, departmental housing low cost houses, and 'build your own house' scheme ;
- (v) provision of recreational facilities such as sports, exhibition of films, arranging of dramas etc. ;
- (vi) the grant to a State Government, a local amelioration of social conditions, fund of mica mine, of money in aid of any scheme approved by the Central Government for any purpose for which the fund may be utilised.

Other benefits provided by the Fund are—

- (a) scholarships for children of miners ;
- (b) doles for widows, and families of disabled or deceased persons ;
- (c) boarding houses for the children of miners ;
- (d) free supply of clothes, milk, mid-day meals, books and stationery etc. to the school going children ; and
- (e) rehabilitation-cum-convalescent home for disabled miners.

9. IRON ORE MINES LABOUR WELFARE CESS ACT, 1961—

There is a provision for the levy of a cess at a rate not exceeding 50 Paise per metric tonne of iron ore produced. The present rate of levy is 25 paise per metric tonne.

The Fund provides amenities such as—

- (a) (i) improvement of public health and sanitation, the prevention of diseases and provision and improvement of medical facilities ;
- (ii) the provision and improvement of water supply and facilities for washing ;
- (iii) the provision and improvement of educational facilities ;

- (iv) improvement of standard of living including housing and nutrition, the amelioration of social conditions and the provision of recreational facilities; and
- (v) the provision of transport to and from work;
- (b) grants to a State Government, a local authority, the owner of an iron ore mine or any other person, of money in aid of any purpose connected with the welfare of labour employed in iron ore mining industry;
- (c) annual grants-in-aid to such of the owners of iron ore mines as provide to the satisfaction of the Central Government; welfare facilities of the prescribed standard for the benefit of the labour employed in their mines, so, however, that the amount payable as grant-in-aid to the owner of an iron ore mine shall not exceed—
 - (i) the amount spent by the owner of the mine in the provision of welfare facilities, as determined by the Central Government or any person specified by it in this behalf; or
 - (ii) such amount as may be prescribed by the rules made under this Act, whichever is less—

Provided that no grant-in-aid shall be payable in respect of any welfare facilities provided by the owner of an iron ore mine where the amount spent thereon determined as aforesaid is less than the amount prescribed by rules made in this behalf.

10. THE BOMBAY LABOUR WELFARE FUND ACT, 1953—

The Fund consists among others of all fines realised from employees under Section (8) of the Payment of Wages Act, and any voluntary donations.

The Fund will be utilised by the Board to defray expenditure on the following measures intended to promote the welfare of labourers and their dependants—

- (i) community and social education centres;
- (ii) reading rooms and libraries;
- (iii) community necessities;
- (iv) holiday homes;
- (v) entertainment and other forms of recreation;
- (vi) home industries and subsidiary occupations for women and unemployed persons;
- (vii) activities of social nature, and
- (viii) such other objects as in view of the State Government would improve the standard

of living and ameliorate the social condition of the labour.

Following the bifurcation of the erstwhile State of Bombay, the Board took over the welfare centres and activities in Maharashtra. Similarly in the State of Gujarat, Gujarat Labour Welfare Board took over the administration of the Fund.

11. THE ASSAM TEA PLANTATIONS EMPLOYEES WELFARE FUND ACT, 1959—

The Fund has been constituted out of (i) all fines realised from the employers in the course of management of plantations; (ii) all unpaid accumulations; (iii) all grants from the State or Central Government or the Tea Board; (iv) any voluntary donations; (v) any sum borrowed under Section 8 of the Act; and (vi) any sum unclaimed or forfeited in the Provident Fund Account of the employees.

The Act applies only to the workers who are getting Rs. 500 or less.

The Fund shall be applied to meet the expenditure in connection with the following facilities—

- (i) which, in the opinion of the State Government are necessary for promoting the welfare of the employees;
- (ii) adult education and literacy drive;
- (iii) community and social education centres;
- (iv) reading rooms and libraries;
- (v) community necessities;
- (vi) games and sports;
- (vii) excursion tours;
- (viii) holiday homes;
- (ix) entertainment and other forms of recreation;
- (x) home industries and subsidiary occupations for women and unemployed persons; and
- (xi) cooperative activities of social nature.

12. THE U.P. SUGAR AND POWER ALCOHOL INDUSTRIES' LABOUR WELFARE AND DEVELOPMENT FUND ACT, 1950—

The Fund is to be constituted mainly from the sum which the Government has acquired or may acquire by realising from the sugar factories, the difference between the sale price of molasses fixed by the Government for purposes of supply to power alcohol factories and open sale price of molasses sold for other purposes. The Fund consists of the separate accounts viz. (a) Housing Account; (b) General Welfare Account, and (c) Development Account, 98 per cent. of the Fund is credited to Housing Account and 1 per cent. each to the other two Accounts.

The activities of the Fund are mainly confined to construction of houses for sugar factory workers.

APPENDIX II(B)

ITEMS ON WHICH STATE GOVERNMENTS WERE ASKED TO SEND MEMORANDA

(1) *Existing Welfare Schemes :*

A paper dealing in detail with the historical background and existing factual position of the industry-wise statutory and non-statutory welfare schemes in the States/country may be prepared. The paper should indicate the present extent of coverage under different schemes in terms of workers and establishments, and should discuss the financial, organisational and administrative aspects of the functioning of the schemes highlighting the difficulties faced in this regard and how these difficulties are being or can be solved. These directions in which improvements can be made in these schemes may also be indicated. If some special facilities are available to workers in the States/country such as sanatoria, health resorts, the same may be mentioned prominently in the paper.

(2) *Administrative Machinery :*

A paper on the administrative machinery working in the field of labour welfare may be prepared. This paper should give a critical review of the roles played by different authorities in administering the welfare schemes, specifically the welfare officers', workers' and employers' organisations, joint management committees of workers and employers, and cooperative societies of workers. The gaps in the existing machinery and the lines of further improvement may be indicated in the paper.

(3) *Enforcement Machinery :*

Similarly, a critical note on the machinery set up under the labour laws for the enforcement of statutory provisions may be prepared highlighting the gaps and improvements required.

(4) *Future schemes on national scale :*

A note on the common welfare schemes which can be developed in future within the available resources of the country on national scale particularly with the joint association of Government, employers and workers or their organisations such as health resorts at places gifted with salubrious climate or specific curative properties such as sulphur springs etc. may be prepared.

(5) *Basic Minimum Welfare Amenities :*

A note spelling out in concrete terms the concept of basic minimum of welfare amenities keeping in view the present economic position of the country and the industry and minimum needs of the workers may be prepared. This note may indicate how far this concept is practicable in the present conditions of the country.

(6) *Statutory Welfare Fund :*

A detailed note discussing various aspects of the functioning of statutory and non-statutory welfare funds in the country/states may be prepared.

(7) *Extension of Statutory Welfare Funds :*

The Labour Ministers' Conference at its 17th Session held in July, 1966 desired that Government

might explore the possibilities of setting up industrywise statutory welfare funds, on the lines of Coal and Mica Mines Labour Welfare Funds for all industries not yet covered by such funds. A detailed note may be prepared on the basis of the experience of the working of the Coal Mines or Mica Mines Welfare Funds or the statutory welfare funds in States wherever they exist, exploring the possibilities how far it would be possible to set up such funds for other industries. All financial, administrative, organisational and other aspects may be discussed in detail.

(8) *Central Welfare Fund :*

The Labour Ministers' Conference at its 17th Session held in July, 1966, drew attention to certain difficulties in financing welfare activities under the State Labour Welfare Funds particularly in view of a High Court decision disallowing transfer of fines and unpaid wages and their utilisation in connection with welfare activities. Considering these difficulties, it is felt that the only satisfactory way is to have legislation on All India basis for creating a fund for labour welfare activities in all industrial centres in the country by equal contributions from workers, employers and the Central and State Governments. A note may be prepared giving detailed outline of a Central Welfare Fund.

(9) *Special measures for workers employed in Small Scale and Cottage Industries :*

Since it may be difficult for individual employers in the Small Scale and Cottage Industries sector to provide independent welfare facilities to workers employed in an establishment, a paper suggesting the possibilities of legal and other schemes to be undertaken jointly by a number of employers in an area may be prepared. The paper may also suggest the manner in which such joint facilities can be developed, financed and administered.

(10) *Rural and other unorganised labour :*

A paper indicating the present statutory and non-statutory provisions, if any, and the possibilities of adopting further welfare measures may be prepared. Programmes, if any, contemplating future developments in this field may also be discussed in detail.

(11) *International Obligations :*

A paper discussing in detail the measures undertaken so far and or required to be undertaken in future on the basis of the I.L.O. Conventions and Recommendations and any other international commitments in the field of labour welfare may be prepared. In the case of such obligations as have been accepted in principle but have not been implemented so far, the reasons/difficulties for not implementing them may be clearly brought out in the paper.

(12) *Tripartite conclusions and their implementation :*

A paper dealing with the tripartite conclusions concerning labour welfare and showing the progress made so far to implement them and/or the programmes if any, to implement them in future may be prepared. In case of such conclusions as have not been implemented, the reasons/difficulties

for not implementing them may also be stated.

(13) *General Paper :*

A paper giving general appraisal of the progress made so far in the sphere of welfare vis-a-vis the Directive Principles of State Policy on labour matters and the aims of a socialist society may be prepared.



APPENDIX II(C)

No. CLW(21)/67-R

GOVERNMENT OF INDIA

MINISTRY OF LABOUR, EMPLOYMENT AND
REHABILITATION

(DEPARTMENT OF LABOUR & EMPLOYMENT)

COMMITTEE ON LABOUR WELFARE

2A/3, ASAF ALI ROAD,
'KUNDAN MANSION'

Dated, New Delhi the 30th Oct. 1967

To

- (i) Krishak Samajs
- (ii) Krishji Pandits
- (iii) Central Workers' Organisations
- (iv) Universities
- (v) Eminent Persons
- (vi) Agricultural Institutes

Subject: Welfare Schemes for Agricultural and Rural Labour.

Sir,

You may be aware that the Government of India in the Ministry of Labour, Employment & Rehabilitation (Department of Labour & Employment) have set up a Committee with Shri R. K. Malviya, former Union Deputy Minister for Labour as Chairman, to review the whole range of statutory and non-statutory labour welfare schemes in operation in the different industrial sectors of the country and also to suggest improvements in the existing schemes for labour including rural and agricultural workers. The Committee has since issued a questionnaire to elicit information/suggestions on welfare measures for the workers. The detailed term of reference of the Committee may kindly be seen at page (ii) of the enclosed cover containing a copy of the questionnaire. The terms of reference and the various questions included in the questionnaire will give an idea of the nature and scope of welfare schemes with which this Committee is concerned.

Being experts in the field of agriculture and also engaged in advanced research relating to raising of agricultural production etc., which inevitably draws into its fold the working conditions of agricultural labourers in particular and other rural labour, employed in allied activities in general, the Committee will be grateful to benefit by your views on the welfare problems of said workers.

As the Committee is to start touring the States shortly and will be visiting Chandigarh from October 26 to October 29, 1967, I shall be thankful if you kindly send your views latest by November 30, 1967.

The Secretariat of the Committee has compiled a note containing, in brief, the information on welfare amenities undertaken for the benefit of the rural population, which includes agricultural and rural workers, in the first three Five Year Plans, a gist of the main recommendations of the All India Seminar on Agricultural Labour, 1965 and follow up action taken thereon. A copy of it is enclosed for your information.

In the light of the information contained in the said note and also in view of your prolonged and close association with agriculture, the Committee will be grateful to have your views on the points contained in the Annexure.

Yours faithfully,

Sd/- x x x

(Teja Singh Sahani)
Member Secretary.

A BRIEF NOTE ON THE WELFARE AMENITIES PROVIDED TO THE RURAL WORKERS SINCE THE BEGINNING OF THE PLAN PERIOD

As a part of the various development programme undertaken on the basis of the Five Year Plans, a number of steps have been taken to improve the economic, social and cultural conditions of the rural masses. In addition, separate measures have also been undertaken to ameliorate the conditions of scheduled castes and tribes and other backward classes and weaker sections of the populations. Since a considerable proportion of the rural population or the backward classes and weaker sections of people belong to the agricultural labour, they have also been benefitted from the above measures to some extent.

In the field of medical care, primary health centres set up under the Five Year Plans in rural areas serve as a focal point for providing comprehensive basic health services. By the end of 3rd Five Year Plan, about 4,800 centres were working. In order to make adequate arrangements for water supply in rural areas, altogether 644 schemes were taken up during the First Three Plans and rest of them have been completed. About 17,000 villages have already been provided with piped water supply. A quick survey conducted by the Union Department of Community Development through their Block Organisation indicated that about 30% of the villages/hamlets still have inadequate water supply and about 25% are without a satisfactory course of water supply.

In order to give a fillip to the rural housing programme, the Government of India formulated a Village Housing Project Scheme in 1957 which provides for financial assistance in the form of loans to the extent of 2/3rd of the cost of construction of the house subject to a maximum of Rs. 2,000 payable in 20 annual instalments. The scheme has been extended to more than 5,000 villages in suitable Community Development Blocks. The Fourth Five Year Plan has proposed a provision of Rs. 25 crores to cover 15,000 villages. In addition to the above project, separate schemes to provide house sites for scheduled castes and other backward classes in the villages have also been undertaken under the Five Year Plans. The Fourth Plan proposes an outlay of Rs. 15 crores for allotment of house sites for scheduled castes and tribes. Some State Governments have also taken steps to provide house sites free or on a subsidised basis to landless agricultural labourers and protect them from forced ejections. Under the Community Development Programmes also new houses are constructed or old ones reconditioned.

To encourage general education among scheduled castes and backward classes, the State Governments have been earmarking funds for free scholarships, educational stipends, book grants, etc. Hostel concessions are also given to children. In some States, free mid-day meals and free boarding in the hostels are provided to the children of the section of the rural population.

In 1954, the Central Social Welfare Board initiated a scheme of Welfare Extension Projects for women and children. The programme of a typical project centre included the running of Balwadi (combination of a creche and a free basic school, adult literacy, social education classes, a craft training programme and provision of elementary medical aid and maternity services and domiciliary attendant. In 1957, the Central Social Welfare Board and the then Ministry of Community Development drew up a programme for organising welfare activities in the Community Development Blocks on a coordinated basis.

In August, 1965, an All India Seminar on Agricultural Labour organised by the Government of India renewed the problems concerning agriculture labour. The Seminar adopted a number of recommendations concerning among others the welfare aspect of agricultural labour. One of the important recommendations of the Seminar was that welfare facilities like drinking water, medical aid, rest sheds etc. as provided under the existing statute should be ensured to labourers engaged in big farms employing 50 or more workers. The other recommendations related to housing, grant of stipends and scholarships to children of agricultural labourers, setting up of grain golas in rural areas to ensure regular supply of essential commodities to agricultural labour, appointment of Labour Officers in projects employing 500 or more workers and enforcement of the existing statutory provisions concerning agricultural labour in such projects etc.

The cell for agricultural labour set up in the Union Department of Labour and Employment as a result of another recommendation of the Seminar has drawn up a programme to set up welfare centres for agricultural workers. Under this programme, it is proposed to set up model welfare centres and provide them with mobile units.

Activities in model welfare centres may include medical facilities, preventive medicine and environmental hygiene and family planning. There may be maternity care including a creche for small children attended by trained nurse and ayah etc. Arrangements for primary education for the children and social education of adults, a consumer store and wholesome drinking water may also form part of the facilities in the welfare centres. The mobile units may have two vans, one for health services and the other combining the functions of the mobile cinema and a sales van of consumer goods.

Considering the magnitude of the problem any programme to meet the problem can only be selective, to start with. An allocation of Rs. 1 crore is proposed for this programme during the Fourth Plan period. This may enable setting up of one welfare centre provided with mobile units in each State.

Out of the sum of Rs. 5 lakhs provided for welfare services and advisory services for agricultural labour during 1967-68, it is proposed to spend Rs. 4 lakhs on welfare. This may be utilised for setting up three welfare centres provided with mobile units, on a pilot basis, in three States. As the amount of Rs. 4 lakhs may not be adequate for starting three full-fledged welfare centres, the construction of residential accommodation for non-essential staff may be staggered to the next year. Likewise, to start with, only one mobile van with dispensary may be added to each of the three centres in the first year.

Since the schemes for improving the conditions of agricultural labour are processed in different Ministries/Departments, the Seminar recommended that an inter-Ministerial/Inter-Departmental Committee should be set up to review the progress of implementation of various schemes. In pursuance of this recommendation, a Coordinating Committee on Agricultural Labour comprising representatives of Planning Commission, Ministry of Food and Agriculture and certain other concerned Ministries/Departments at the Centre has been constituted.



SUPPLEMENTARY QUESTIONS FOR AGRICULTURAL WORKERS

(1) The First Agricultural Labour Enquiry defined an agricultural labour "As a person who for more than half of the total number of days on which he actually worked during the year as an agricultural labour". But in the Second Agricultural Labour Enquiry the agricultural labour family was defined as a family which derived the bulk of income from agricultural wages. Do you agree with the above concept of an agricultural worker? If not, how do you define it?

(2) Various types of welfare amenities have been extended in the villages on account of the extensive coverage of the rural areas by Community Development Programmes and also other rural oriented development schemes of the Government through departmental agencies. These cater to the needs of the agricultural labourers to who form the bulk of the labour force in rural areas. The Committee would like to know the details of these measures in your area and whether :—

- (i) those arrangements are adequate to promote the welfare of agricultural workers? If not please suggest alternatives; and
- (ii) if the existing welfare measures are adequate, do you feel that they are being properly implemented and administered? If the answer is in negative, suggest measures to improve the existing arrangement.

(3) What in your opinion are the basic minimum of welfare amenities which must be provided to agricultural and rural workers?

(4) With the increasing use of various types of fertilizers, pesticides, poisonous rodenticides and also improved implements like tractors, the safety of the illiterate agricultural workers has assumed greater importance. But so far there is no regulation, statutory or otherwise, to ensure better conditions of working and safety of life to workers in this unorganised sector. Are you, therefore, in favour of enabling legislation by the Central Government to undertake welfare measures for this class of labour force? If so, indicate the lines along which the same can be done.

(5) Will it be justified to place a statutory responsibility on agricultural employers to provide welfare facilities to those workers as in respect of

organised industries? If not, please give your views with alternative suggestions for making a beginning in this direction. Can a nominal levy be imposed on the agricultural produce or area of holdings to finance the welfare funds?

(6) Should a separate fund be established in each State or you suggest that an all India Fund be established for the purpose out of the levy imposed? In either case give your views as to how they should be administered?

(7) What are your comments on the recommendation of the All India Seminar on Agricultural Labour held in August, 1965 that basic facilities like drinking water, medical aid, rest sheds etc. as available under the existing statutes for the industrial workers should also be ensured to workers engaged in big farms employing 50 or more persons which can be classified as agricultural workers.

(8) Owing to the following characteristic features of agricultural workers, there are some difficulties in the way of organising welfare work among them :—

- (i) A large number of agricultural workers also cultivate their own land. Due to this overlapping character, it is difficult to demarcate the agricultural labour as a separate class and identify their problems for organising welfare work, among them.
- (ii) Unlike the workers engaged in organised industrial sectors, the agricultural workers do not work in concentrated places but are scattered all over the country. This scattered nature of the agricultural labour creates another difficulty in the way of organising welfare work.
- (iii) Most of the agricultural labourers work on casual basis and keep on shifting from farm to farm. This makes difficult for employers to undertake welfare work.

What suggestions will you kindly offer to overcome the above-mentioned handicaps for effective implementation of welfare schemes?

(9) Are the existing arrangement for popularising family planning programmes adequate for covering agricultural labour? If not, what are your suggestions for better and effective implementation of these measures.

No. CLW(23)/67-R/P
GOVERNMENT OF INDIA
MINISTRY OF LABOUR, EMPLOYMENT AND
REHABILITATION
(DEPARTMENT OF LABOUR & EMPLOYMENT)
COMMITTEE ON LABOUR WELFARE

2A/3, ASAF ALI ROAD,
'KUNDAN MENSION'
New Delhi

21st October, 1967

To

- | | |
|---|-----------------------|
| 1. State Governments of those State having Plantations. | |
| 2. Workers' Organisations | } Plantation Industry |
| 3. Employers' Organisations | |

Subject: Request for detailed notes and information regarding welfare amenities in plantations.

Dear Sir,

As you might be aware, the Committee on Labour Welfare set up under the Chairmanship of Shri R. K. Malviya, former Union Deputy Labour Minister, by the Government of India in the Ministry of Labour, Employment and Rehabilitation, is reviewing the whole range of statutory and non-statutory welfare activities in the various industrial sectors including plantations. The Committee has already issued a questionnaire to elicit information/views from the concerned parties. The copies of questionnaire have also been already distributed to the various Employers' and Workers' bodies through their Central Organisations and it is hoped that the same would have been received by you also. A copy of the questionnaire is enclosed for your ready reference. Besides the questionnaire a copy of the Government Resolution No. LWI(1)30/3/65 dated August 5, 1966 indicating composition and terms of reference of the Committee is also included in the enclosed cover.

At its recent meeting the Sub-Committee constituted by the main Committee to undertake a detailed study of welfare activities in plantations, a note dealing with the existing position of welfare

amenities available to plantation workers was discussed. Since the information contained in the note on the basis of the published material was not up-to-date, the Sub-Committee desired that the note may be brought up-to-date for further consideration by it. In pursuance of this direction of the Sub-Committee, a note indicating the lines on which further detailed information is required has been prepared and is enclosed.

I shall be grateful if you could kindly prepare detailed notes on these lines on the basis of information available with you and your constituents. The statistical and factual information to be furnished in the notes should be as comprehensive and up-to-date as possible. The period and areas etc. to which this information would relate may also kindly be indicated clearly in the notes.

Within a specified time limit, it is further requested that the Committee has to submit its report on the lines indicated in the notes. Since the Committee has to rely much on the cooperation of the workers' and employers' organisations. It is, therefore, earnestly hoped latest by November 15, 1967.

Needless to say that for accomplishing the task

that the notes may kindly be prepared and forwarded to the Committee as early as possible or that you will be kind enough to prepare the notes, requested for, and send them in time to the Committee.

Yours faithfully,

Sd/- x x x

(Teja Singh Sahani)
Member Secretary.

COMMITTEE ON LABOUR WELFARE

The following papers supported by adequate factual and statistical evidence may be prepared. Separate statistical and factual information may kindly be given in the notes in respect of each of the major plantation crops *i.e.* tea, coffee & rubber.

(1) *Existing Welfare Schemes :*

A paper dealing in detail with the historical background and existing factual position of each of the various statutory and non-statutory welfare measures (such as housing) (both in respect of resident and non-resident workers), education, medical, recreation, creches, canteens, conservancy, family planning, cooperative societies, cooperative consumer store/fair price shops, etc.). Obtaining in plantations may be prepared. The paper should indicate the present extend of coverage under different schemes in terms of workers and establishments, and should discuss the financial, organisational, administrative, and other aspects connected with the functioning of the schemes high-lighting the difficulties faced in this regard and how these difficulties are being or can be solved. The directions in which improvements can be made in these schemes may also be indicated. If some special facilities are available to plantation workers such as sanatoria, health resorts, the same may be mentioned prominently in the paper.

(2) *Administrative Machinery :*

A paper on the administrative machinery working in the field of labour welfare may be prepared. This paper should give a critical review of the role played by different authorities in administering the welfare schemes, specifically the welfare officers, workers' and employers' organisations, joint management Committees of workers and employers, and cooperative societies of workers. The gaps in the existing machinery and lines for further improvement may be indicated in the paper.

(3) *Enforcement Machinery :*

Similarly, a critical note on the machinery set up under the labour laws for the enforcement of statutory provisions may be prepared high-lighting the gaps and improvements required.

(4) *Future schemes on national scale :*

A note on the common welfare schemes such as health resorts at places gifted with salubrious climate or specific curative properties such as sulphur springs etc. which can be developed in future within the available resources of the country and industry on national scale particularly with the

joint association of Government, Employers and Workers or their organisations may be prepared.

(5) *Basic Minimum Welfare Amenities :*

A note spelling out in concrete terms the concept of basic minimum of welfare amenities keeping in view the present economic position of the country and the industry and minimum needs of the workers may be prepared. This note may indicate how far this concept is practicable in the present conditions of the country and how far the standards of various welfare amenities available to workers at present under the law or otherwise meet the requirements of this concept.

(6) *Welfare Funds :*

A detailed note discussing various aspects of statutory and non-statutory welfare funds functioning in plantations industries may be prepared.

(7) *Extension of Statutory Welfare Funds :*

The Labour Ministers' Conference at its 17th Session held in July, 1966 desired that Government might explore the possibilities of setting up industrywise statutory welfare funds on the lines of Coal and Mica Mines Labour Welfare Funds for all industries not yet covered by such funds. A detailed note may be prepared keeping in view, among other things, the experience of the working of the Coal Mines or Mica Mines Welfare Funds or the statutory welfare funds in States wherever they exist exploring the possibilities how far it would be possible to set up such fund(s) for the plantation workers. All financial, administrative, organisational and other aspects may be discussed in detail.

(8) *Tripartite conclusions and their implementation :*

A paper dealing with the tripartite conclusions concerning labour welfare and showing the progress made so far to implement them and/or the programmes, if any, to implement them in future may be prepared. In case of such conclusions as have not been implemented, the reasons/difficulties for not implementing them may also be stated.

(9) *General Paper :*

A paper giving general appraisal of the progress made so far in the sphere of welfare vis-a-vis the Directive Principles of State Policy on Labour matters and the aims of a socialist society may be prepared.

NO. CLW(SC)/Mfg./3/68-R

GOVERNMENT OF INDIA

Ministry of Labour, Employment & Rehabilitation

(DEPARTMENT OF LABOUR & EMPLOYMENT)

COMMITTEE ON LABOUR WELFARE

2A/3, ASAF ALI ROAD,
'KUNDAN MENSION'
New Delhi

20/29th February, 1968

To

- (1) Central Employers' and Workers' Organisations.
- (2) Other Important Employers' and Workers' Organisations.
- (3) Ministry of Steel, Mines and Metals and Ministry of Finance (Department of Economic Affairs).

Subject :- Setting up of Industrywise Regional Welfare Fund Information thereon.

Dear Sir,

As you are already aware that the Committee on Labour Welfare is at present vested with the task of reviewing the functioning of statutory/non-statutory welfare provisions to have an appraisal of the scope and extent of implementation of these provisions in the organised as well as un-organised sector including plantations and mines.

You are also aware that certain welfare measures like medical, housing, educational and recreational facilities etc. are not available to the workers, to the desired extent as it is either not possible for an individual unit to provide these facilities to the workers due to paucity of financial resources or due to various other limitations. Certain statutory welfare amenities too are not available to a sizeable number of workers employed in smaller and even medium-sized industrial establishments as they either do not fall within the purview of any statutory obligations or the establishments find it difficult to provide necessary means for implementation of these welfare measures. Some of the establishments are reported to have resorted to fragmentation of their units into smaller units in order to evade the application of statutory welfare measures to their units.

A question regarding setting up of welfare funds in various industries was, thus, included in the questionnaire issued by the Committee. It appears that various organisations/departments have either not devoted adequate attention to this important issue or they have not been able to appreciate in the proper perspective the need and role of a welfare fund.

In their replies to the questionnaire issued by the Committee various State Governments and managements of industrial establishments have categorically stated that, human aspect apart, the provisions of welfare amenities on an appropriate scale have helped in improving the climate of

industrial relations and even the willingness of the workers to increase their productivity and efficiency in trade.

It has also been stated in evidence before the Committee by some employers' organisations that the part played by labour in production is, if not more, in no way less than raw-material and machinery. The quality and quantity of the end-product, therefore, equally hinges upon the performance and efficiency of labour which, in turn, is also related to a measure of welfare amenities available to the workers.

Realising the need and importance of welfare measures for the working class, a number of State Governments and other parties appearing before the Committee have emphasised a Welfare fund to be established in the country. The basic principle involving the constitution of such a fund, its administration, the details of the activities to be financed out of it and the role that this fund might play vis-a-vis the existing statutory and non-statutory facilities and for the coverage of hitherto uncovered workers, including rural and agricultural workers are the problems on which this Committee would like to benefit by your considered views.

While tendering oral evidence before the Committee, some State Governments and other parties have suggested that nominal cess surcharge on the lines of Coal/Mica Mines Welfare Fund (A brief summary giving salient features of these schemes is enclosed) might be levied in various industries on gross production, net profits or on the basis of number of workers employed in any particular establishment. It has been argued that a nominal cess would create perhaps psychological or merely, a notional burden on the producers or consumer depending upon the nature and demand of goods produced and sold.

It has also been suggested that a certain percentage of wages bill or production or minimum guaranteed amount as surcharge unrelated to production like minimum guaranteed bonus of an establishment could be set apart for financing the proposed fund.

The administration of this fund could be entrusted to an autonomous corporation with branches at the State level or at Regional level.

The activities to be financed out of this fund may be said to include non-statutory welfare

measures like housing educational and recreational activities and distress relief measures etc. and extension of some basic and minimum welfare amenities like medical facilities, etc. to hitherto uncovered workers who do not received the benefits of any statutory and non-statutory welfare amenities.

The above activities and gist of views tendered before the Committee are only illustrative and not exhaustive. The matter will be considered in all its aspects by the Committee on receipt of your

detailed views which you may very kindly send to the Secretariat of the Committee latest by the end of this month.

I shall be grateful to hear from you soon.

Yours faithfully,

Sd/- x x x

(G. S. Madan)

Deputy Director.



Committee on Labour Welfare**Main Activities of the Coal Mines Labour Welfare Fund**

The Coal Mines Labour Fund Act was passed on 1947 with a view to constitute a Fund Called 'Coal Mines Labour Housing and General Welfare Fund' for financing measures to promote the welfare of labour employed in the Coal Mining Industry.

The Act provides for a levy of cess on the coal and coke despatched from Collieries at the rate of 49.41 paise per metric tonne (i.e. the maximum permissible under the Act.)

The annual proceeds of the Fund are above Rs. 3.5 crores and these are generally distributed between the 'Housing Accounts' and the 'General Welfare Accounts' in the ratio of 50:50 and it is administered by the Coal Mines Labour Welfare Commissioner.

The activities of the Fund broadly classified under 'Medical', 'Housing', and 'General Welfare' are as follows :—

(1) *Medical facilities* : The Fund provides Central and Regional Hospital, Dispensaries (Allopathic & Ayurvedic), Maternity and Child Welfare Centres, Health Promotion Centres and Family Coun-

selling Centres. The Fund also provides treatment facilities for T.B., Leprosy, cancer, mental diseases and other malignant diseases and carried out Malaria and Filaria surveys to promote general health of the workers. It also supplies artificial limbs, spectacles, dentures, etc. to the workers free of cost.

(2) *Housing facilities* : The Fund provides housing facilities under various schemes such as subsidy scheme, subsidy cum loan scheme, low cost housing scheme including wooden houses, build your own house scheme, Cooperative Housing Scheme and undertakes construction of townships etc.

(3) *Educational, Recreational and General Welfare facilities* : The Fund maintains multipurpose institutes imparting adult and social education, schools for children, crafts training for families, etc. It also provides benefits like Scholarships and tuition fees, education allowance and boarding houses for the children of miners. The Fund also provides facilities like Holiday Homes, Bharat Darshan Tours, Games and Sports, water Supply, Transport to and from work. It also organises cooperative societies and stores and co-operative movement in Coal Fields.



COMMITTEE ON LABOUR WELFARE

Main Activities of the Mica Mines Labour Welfare Fund

The Mica Mines Labour Welfare Fund Act was passed in 1946 with a view to promote the welfare of labour employed in Mica Mining Industry. The Act provides for a levy of cess on all mica exported from India at the rate of 2½ per cent *ad valorem* (the maximum admissible is 6½ per cent *ad valorem*). The cess is collected by Customs Department and credited to the Fund after deducting ½ per cent collection charges.

The fund is administered through Tripartite Advisory Committee in three regions namely Bihar, Andhra Pradesh and Rajasthan.

The activities sponsored by the Fund are as follows :

(1) Medical facilities :

The Fund provides central hospital, regional hospitals, dispensaries, mobile medical units, maternity centres, child welfare centres. The Fund also provides treatment facilities for T.B. and Leprosy patients.

The fund maintains multi-purpose institutes imparting adult education, schools for children, crafts training for families, etc.

(2) Housing facilities :

The Fund provides housing facilities under various schemes such as subsidy scheme, subsidy-cum-loan scheme, new subsidised housing scheme, departmental housing, low cost houses and build your own house schemes.

(3) Recreational and General Welfare facilities :

The fund provides recreational facilities such as sports, exhibition of films etc.

Other benefits provided by the Fund include scholarships for children of miners, doles for widows and families of disabled or deceased persons, boarding houses for the children of miners, free supply of clothes, milk, mid-day meals, books and stationery etc. to the school going children, rehabilitation-cum-convalescent home for disabled miners, provision for water supply and, washing facilities, etc.



APPENDIX III(iii)

No. CLW(SC)/US/1/68-R

Government of India

Ministry of Labour, Employment & Rehabilitation

(Department of Labour & Employment)

COMMITTEE ON LABOUR WELFARE

2A/3, Asaf Ali Road,
'Kundan Mansion'
New Delhi

12th March, 1968.

To

The Secretary,

Department of Local Self Govt. of all the State
Governments and Union Territory Ad-
ministrations.

*Subject: Questionnaire of Committee on Labour
Welfare.*

Sir,

As you are already aware that the Government of India in the Ministry of Labour, Employment & Rehabilitation (Department of Labour & Employment) have set up a Committee on Labour Welfare under the Chairmanship of Shri R. K. Malviya former Union Deputy Minister for Labour, to review the whole range of Statutory and non-statutory labour welfare schemes in operation in the country in different industries in all sectors. The Committee is also expected to examine existing welfare measures in Municipalities and Cantonment Boards with particular reference to scavengers and sweepers and to suggest improvements, if any, as also to recommend to other welfare measures for adoption

In pursuance, the Committee on Labour Welfare proposes to elicit views of Municipalities/Corporations and Cantonment Boards on the specially

designed questionnaire for the benefit of the Committee. We are, therefore, enclosing 100 copies of the questionnaire to you with a request that these may kindly be distributed to the important Municipalities/Municipal Corporations/Cantonment Boards and Hospitals under your jurisdiction. The concerned authorities may also kindly be requested to send 30 copies of their reply to Committee's questionnaire at their earliest but not later than 15th March, 1968.

Some of the questions in the questionnaire may not be of particular interest to you and can perhaps be ignored. The Committee would, however, certainly like to have from you the (i) existing welfare amenities that are available to these workers; (ii) how are they administered and financed; and (iii) what more welfare facilities would you like to be extended to municipal workers and how?

Any other suggestions that you may like to give especially on important matters like creation of a welfare fund etc. may also kindly be given.

Yours faithfully,

Sd/-

(G. S. MADAN)

Deputy Director.

APPENDIX III(iv)

No. CLW(SC)/US/2/68

Government of India

Ministry of Labour, Employment & Rehabilitation

(Department of Labour & Employment)

COMMITTEE ON LABOUR WELFARE

2A/3, Asaf Ali Road,
'Kundan Mansion'
New Delhi

16th March, 1968.

To

The Labour Commissioners of all the State Governments and Union Territory Administrations.

Subject: Welfare amenities provided to workers employed in Bidi and Cigar Industries.

Sir,

As you are aware the Government of India, have set up a Committee on Labour Welfare, under the Chairmanship of Shri R. K. Malviya, former Union Deputy Labour Minister to review the whole range of the Statutory and Non-statutory Labour Welfare Schemes and to have an appraisal of the scope and extent of implementation of these provisions in different industries, mines plantations, etc. in operation in the country including Bidi and Cigar. This Tripartite Committee is expected to suggest improvement, if any, in the existing welfare facilities as also to recommend new welfare measures for adoption. As there is a general dearth of information on welfare aspect in respect of workers employed in these industries, it is felt that you might be able to supply factual and consolidated information at State Level in respect of these workers of your State. If so, you are requested to furnish information on following important points:—

1. Number of workers employed in Bidi and Cigar Industry.

Bidi

- (i) Direct Workers.
- (ii) Indirect Workers.
- (iii) Total.

Cigar:

- (i) Direct Workers.
- (ii) Indirect Workers.
- (iii) Total.

2. What welfare facilities are available to workers in Bidi and Cigar Industries?
3. What new welfare amenities, in addition to the existing one, you propose for introduction in the case of Bidi and Cigar workers? Please send your detailed plan as to how best the new welfare schemes can be arranged, financed and administered.
4. What should be the nominal cess which could be imposed on Bidi and Cigar Industry for financing welfare funds, keeping in view the economic position of the industry? Can this cess be levied on production or sale of products?
5. What machinery do you consider will be most suitable for administering welfare funds? Can this work be entrusted to an autonomous body representing all concerned? At what level such a machinery should be established i.e., Central, State/Regional and Local?
6. For financing the welfare fund do you agree with the suggestion of equal contributions from Workers, Employers, Central and State Governments or will you suggest some other basis of individual contributions?
7. What welfare facilities do you think can be organised through the welfare funds?
8. Any other matter connected with the welfare of Bidi and Cigar workers, which you would like to be considered by this Committee.

This request may kindly be accorded necessary priority.

Yours faithfully,
Sd/-
(G. S. MADAN)
Deputy Director.

APPENDIX III(v)

No. CLW(SC)/US/5/68-K

Government of India

Ministry of Labour, Employment & Rehabilitation

(Department of Labour & Employment)

COMMITTEE ON LABOUR WELFARE

2A/3, Asaf Ali Road,
'Kundan Mansion'
New Delhi

19th March, 1968.

To

The Director of Industries of all the States and Union Territories.

Subject: Request for published literature for the use of Committee on Labour Welfare— with particular reference to Small Scale Industries and Cottage Industries.

Sir,

As you are aware the Government of India, have appointed a Committee on Labour Welfare under the Chairmanship of Shri R. K. Malviya, former Union Deputy Labour Minister, with the following terms of reference :—

- (a) To review the functioning of various Statutory and Non-statutory welfare schemes in industrial establishments both in the private sector and public sector, including mines and plantations;
- (b) To make such recommendations as may be deemed necessary to improve the functioning of the existing welfare schemes or for introducing new schemes;
- (c) To examine and suggest industries where Welfare Funds like Coal Mines Welfare Fund and Mica Mines Welfare Fund can be created;
- (d) To suggest measures for introducing welfare schemes for rural labour in general with particular reference to agricultural labour; and
- (e) To consider any other related matters that the Committee may deem fit.

This Tripartite Committee is expected to study adequacy or otherwise of the entire range of existing statutory and non-statutory labour welfare schemes for the working class all over the country including unorganised sector viz., Small Scale and

Cottage Industries and to recommend improvements for the same, if any. I am enclosing a copy of the questionnaire for your information. This will give you an idea of the extent and scope of the work of the Committee.

2. It is understood that there is a separate wing in your Directorate which looks after the development of Small Scale and Cottage Industries in your State. The Directorate is giving certain grants to the Small Scale Industries and Cottage Industries after reviewing their needs etc. It is therefore, felt that your Directorate might be in possession of some factual information in regard to number of persons employed and capital invested as well as other details relating to the welfare facilities as at present available to workers in these two sectors. We are, therefore, approaching you to favour us with the available published literature or any note giving details on above important aspects.

3. Since the Committee on Labour Welfare will also be examining the functioning of industrial estates and the welfare facilities provided to workers therein, as they fall well within the ambit of Small Scale Industries, it would be very much appreciated if you could send us a complete list of industrial estates with their addresses functioning in your area. A note indicating the welfare facilities as at present available to workers either jointly or individually in the industrial estates may be supplied. Besides, what new welfare facilities in addition to the existing one you propose for introduction in various industrial estates. Your detailed plan as to how best new welfare facilities can be arranged, controlled, financed and administered will be of good help to the Committee in finalising its recommendation to the Government of India. This may kindly be treated as urgent.

Yours faithfully,
Sd/-

(G. S. MADAN)
Deputy Director.

APPENDIX, III(vi)

No. CLW(SC)/Mfg./5/68-R

Government of India

Ministry of Labour, Employment & Rehabilitation

(Department of Labour and Employment)

COMMITTEE ON LABOUR WELFARE

2A/3, Asaf Ali Road,
'Kundan Mansion'
New Delhi

March 22, 1968.

To

All State Governments and Union Territory Administrations.

Subject: Welfare provisions under various Labour Laws—Implementation thereof.

Sir,

As you are aware one of the major tasks before the Committee on Labour Welfare is to review the functioning of various statutory welfare provisions in the Manufacturing Industries including Plantations and Mines (in those States where they exist) to have a correct appraisal of the implementation of these provisions in various industries.

In their replies to Committee's questionnaire, the Workers' Organisations, especially in Manufacturing and Plantation Industries have generally stated that the existing welfare provisions laid down under various Labour Acts and Rules are not being fully implemented by the management of individual units. On the other hand the employers' organisations have been maintaining that the various welfare provisions are being implemented in accordance with the standards and rules laid down under various Acts.

A National Committee like that of ours cannot reach any final conclusion without any scientific appraisal having been undertaken. The Committee's Secretariat, you will appreciate, can hardly undertake this work due to limited time and complements.

It is, therefore, requested that each State may constitute a Sub-Committee or Study Team, as the case may be, comprising Labour Commissioner, Chief Inspector of Factories, and any two other concerned officers of the State Government to make a random sampling study of the selected and representative establishments for evaluating the implementation of the said enactments and to give information on the following points in particular by the end of April, 1968.

- (i) Does the findings of the Sub-Committee reveal that by and large statutory welfare provisions are being implemented both in letter and in spirit?
- (ii) If not, what are the provisions which are not being specifically implemented and why?
- (iii) What measures including penalties, fines and penal punishments would be necessary to ensure better and effective implementation of the existing welfare provisions provided in the statute if the existing penalties have not proved deterrent enough for the purpose.

- (iv) Are there any provisions in the statute which have been violated persistently? If so, what are the reasons for the same?
- (v) Would the Sub-Committee like these provisions to be deleted, modified or amended to ensure their implementation if it is convinced that the employers have genuine difficulties in not implementing the provisions?
- (vi) On the basis of its study what amendments, if any, would it like to be made to the existing statute for providing existing statutory welfare amenities to workers without delays and what measures including penal provisions would it recommend in the case of breach of laws?
- (vii) What modifications, if any, would it like to be made in the statute involving various enactments for giving better and enhanced welfare facilities to the working class?
- (viii) What are, if any, the shortcomings of the existing enforcement machinery and on what lines it could be strengthened and reorganised to meet the existing requirements of law adequately?
- (ix) Any other issues which the Sub-Committee may like to bring to the notice of the Committee on Labour Welfare including the inadequacy or otherwise of the inspectorate staff.
- (x) The 16th Labour Ministers' Conference has recommended that there should be one inspector for 150 factories. If you agree, what recommendations would you like to make the Committee's considerations to implement this yard-stick.
- (xi) Considering the inadequacy of inspection Machinery and non-availability of trained personnel, does the Sub-Committee favour the idea of constituting an All-India Uniform and Integrated Inspectorate Service to attract talent and for effective and sufficient administration of the existing statutory welfare provisions? If so, how and in what manner?

If considered advisable and necessary the said Sub-Committee may also like to have the views of responsible employers' and workers' organisations operating in their States.

This letter may kindly be acknowledged.

Yours faithfully,
Sd/-
(G. S. Madan)
Secretary.

APPENDIX III(vii)

No. CLW(SC)/US/5/68-R

Government of India

Ministry of Labour, Employment & Rehabilitation

(Department of Labour and Employment)

COMMITTEE ON LABOUR WELFARE

2A/3, Asaf Ali Road,
'Kundan Mansion'
New Delhi

27th March, 1968.

To

The Employers' and Employees' Organisations of
Banks.

Subject : Setting up of industry-wise, regional welfare fund—information thereon.

Dear Sir,

I again enclose for your kind information a copy of the questionnaire issued by the Committee on Labour Welfare. If you have not yet favoured the Committee with your views on the subjects listed in the questionnaire, especially those in part IV of the questionnaire, you may kindly do so now latest by April 15, 1968.

One of the important matters which is now under the active consideration of the Committee is the setting up of the welfare funds in various industries. A specific question on this issue has, therefore, been included in the questionnaire issued by the Committee in order to obtain views of different Employers' and Employees' Organisations, Government, Public Body etc. Some units, it appears, have either not devoted adequate attention to this important issue or they have not been able to appreciate in the proper perspective, the need and role of welfare fund.

As far as the banking units are concerned, the origin of welfare measures can be attributed to various awards given by the Tribunals from time to time. Welfare activities in the banks have also been regulated under various bi-partite agreements. The Tribunals mainly concentrated on grant of medical aid, cash relief and other medical facilities to the employees. As a result some of the banking units are providing facilities like transport, medical, educational, recreational, canteens at head office and at branch offices, house rent allowance, washing allowance, leave fare concessions, cooperative facilities, saving facilities, children allowance, liveries allowance etc. These facilities in certain cases have either been financed through a Staff Welfare Fund or a Staff Benevolent Fund especially created for the purpose. Barring a few large sized banking institutions in the country such as Reserve Bank of India, State Bank of India, etc., which are providing welfare facilities to their employees on large scale, the welfare activities in smaller size banking units are essentially limited. Thus, it may be seen that the welfare facilities from unit to unit and their field of operation as well as activities very widely. Moreover, the welfare facilities are generally confined to the employees within the four walls of

the banking unit and there is hardly any activity which is availed of by the employees outside the banking units. The need for the provision of welfare facilities such as recreation, cultural, social etc. outside the work place cannot perhaps be over emphasized. Further, in the case of smaller and marginal banking units due to financial limitations the employees are not able to get much needed amenities to the extent desired. One way of resolving this problem could perhaps be by setting up of a Welfare Fund for the Banking Industry.

Certain Welfare Funds have already been set up by levying nominal cess on the produce or despatch of the produce of items like Coal, Mica and Iron. In case of industries like Banking such statutory welfare fund could perhaps be constituted by levying a nominal or notional cess on wage costs or profits of each Banking Unit. Workers could also perhaps contribute nominally to augment the resources of such funds.

I shall, therefore, be grateful if, *inter-alia*, you could give your considered views to the above proposal and also send your detailed views on the following points :—

1. What type of welfare activities can be organised for Banking Industry outside the banking units?
2. How best the welfare activities can be arranged in the case of smaller units located at different places with small number of employees?
3. How the arrangements for providing welfare amenities by the smaller banks can be planned? If you have any scheme to suggest, kindly also mention, how such scheme would be administered and financed. Where there are Central Welfare funds already in operation to which contributions are made exclusively by the banks what welfare facilities do you think can be arranged under the proposed Welfare Fund in order to avoid overlapping?
4. What would be the nominal wage bill or profits in your opinion that can be set apart for financing the Welfare Funds?

A suggestion has been made that levy chargeable from the employers should be determined on the basis of number of employers. What are your views about it? If you agree, what should be the minimum rate of contribution per employee?

5. What administrative machinery do you recommend to look after the Welfare Fund? Can this work be entrusted to an Autonomous Corporation with branches at State Level or Regional Level?

An early reply will be highly appreciated.

Yours faithfully,

Sd/-

(G. S. MADAN)

Secretary.



सत्यमेव जयते

APPENDIX III (viii)

No. CLW(5C)/US/5/68-R

Government of India

**Ministry of Labour, Employment & Rehabilitation
(Department of Labour and Employment)**

COMMITTEE ON LABOUR WELFARE

**2A/3, Asaf Ali Road,
'Kundan Mansion'
NEW DELHI**

30th March, 1968

To

**The Labour Commissioners of all the State
Governments and Union Territory Adminis-
trations.**

**Subject : Proposal to extend Employees State
Insurance Act and Employees Provident
Fund Act to shopkeepers, traders and
artisans.**

Sir,

**One of the State Governments have suggested
to this Committee that time has now been reached
when the Government of India should consider
seriously the possibility of extending the provisions
of the Employees State Insurance Act and 'the
Employees' Provident Fund Act, the two main
enactments of social security in this country to
cover workers employed in shops and commercial
establishments as well as artisans. As this is a very**

**important suggestion, we shall be thankful to have
your considered views on this subject urgently,
latest by April 15, 1968.**

**We shall also be thankful to know from you
that in case you do not agree to the extension of
the above enactments to the categories of workers
mentioned in the preceding paragraphs, you may
kindly give us your reasons for the same and also
suggest alternative measures for affording necessary
social security amenities to this class of workers
whose number in the country runs into millions.**

**We shall be grateful to have your views in the
matter, urgently.**

**Yours faithfully,
Sd/-**

**(G. S. MADAN)
Secretary**



APPENDIX III (ix)

No. CLW/QRT/1/68

Government of India

Ministry of Labour, Employment & Rehabilitation
(Department of Labour and Employment)

COMMITTEE ON LABOUR WELFARE

2A/3, Asaf Ali Road,
'Kundan Mansion'
NEW DELHI

Dated 30th March, 1968.

To

All Employers', Employees' Organisations, individual parties and Labour Commissioners of the States and Union Territories.

Subject : Working of Motor Transport Workers' Act, 1961, with particular reference to Welfare facilities and amenities provided thereunder.

Sir,

As you are aware, the Government of India have set up a Committee on Labour Welfare under the Chairmanship of Shri R. K. Malviya, former Union Deputy Labour Minister to review the whole range of the statutory and non-statutory labour welfare schemes and to have an appraisal of the scope and extent of implementation of these provisions in different industries, including Motor Transport Industry.

Under the Motor Transport Workers' Act, 1961 brought into force on March 31, 1962, the State Governments were required to frame rules on the pattern of the Central Model Rules for their respective jurisdictions. In pursuance of this, most of the State Governments and Union Territories with the exception of Governments of Orissa, Goa, Daman & Diu, and Andaman Nicobar Islands have framed rules under the said Act.

The Central Act and the State rules framed thereunder provide inter-alia for medical facilities, canteens, rest shelters/rooms and uniforms for motor transport workers. These statutory provisions apart, some of the progressive and enlightened employers are also providing certain other welfare facilities like housing, education, cooperative stores, credit societies, provident fund facilities and free transport etc. Some of them also arrange excursions for their employees and run staff benefit fund, etc. By and large, however the welfare facilities available to transport workers are inadequate, even statutory welfare facilities are also not implemented properly or made available to workers on a uniform basis. The main reason for this situation appears to be that it is not possible for the individual units, much the less for marginal units to provide welfare facilities to its employees. At times even the minimum facilities and amenities are not provided to workers due to paucity of financial resources and various other limitations. State Governments are generally reported to have expressed dissatisfaction with the implementation of the statutory provisions of the Welfare measures obligatory upon motor transport industry under the rules framed by them.

Way back in 1946, the Government of India, realising the cardinal role that welfare amenities play in the realm of industry, decided to constitute welfare funds in all undertakings except those controlled by Railway Board and the major ports. As a result of this policy, a number of statutory welfare funds have since been set up for different industries in the Central and State spheres. Prominent among the Central Acts are Coal Mines and Mica Mines Labour Welfare Funds. The funds so created are generally utilised to provide housing, recreational, cultural, social, educational and other welfare facilities and amenities to workers and staff. Some schemes also provide for contribution and grants by Governments.

Keeping in view the limited financial resources of employers and utmost care with which the resources of the State should be spent it appears necessary that some measures be adopted to augment the existing resources to provide minimum welfare facilities to a large number of transport workers serving under a multiple of employers with varying conditions of work of service and operating throughout the length and breadth of the country. It has been stated in evidence before the Committee as also in replies to its questionnaires that one way of resolving this problem could be by setting up a welfare fund for the transport operators.

The multiple advantages which are being enjoyed by the workers in whichever industry welfare funds have been set up so far are well known. The setting up of welfare funds not only distribute the financial burdens to all the parties concerned equally but it also provides a bigger basket of welfare facilities and amenities to workers without even creating a national burden to the consumer who in the ultimate analysis is called upon to bear the brunt of taxes and levies directly and indirectly.

Setting up of a welfare fund for the transport operators appears to be an important policy matter. It will not only go a long-way in providing much needed basic amenities of rest, shelter, medical aid, subsidy in duress for the operator or his family etc. but will also perhaps mark a new mile stone in the history of workers' welfare in the country. The Committee would, therefore, be grateful to receive the benefit of your detailed views in the matter before it is formally discussed by it. The Secretariat of the Committee has prepared a brief questionnaire to facilitate your views on various aspects of the problem. A copy of this questionnaire is enclosed. I shall be grateful if you could very kindly enlighten us with your detailed views by March 25, 1968 at the latest.

I shall also be grateful if 30 copies of your reply are sent to the Committee so that the same could be distributed to all members of the Committee.

I shall also feel obliged, if some copies of the annual reports of the working of the Act in your state are sent to us early.

Yours faithfully,
Sd/-
(G. S. MADAN)
Secretary

COMMITTEE ON LABOUR WELFARE

Questionnaire—Motor Transport Industry

1. What are the existing welfare facilities provided to the transport workers in your State? Please enumerate.
2. Are these facilities adequate? If not, how would you like them to be (a) augmented; (b) administered; (c) financed.
3. Do you agree that there is a need to set up a statutory welfare fund on the lines of coal and mica mines labour welfare fund or on any other lines for transport workers? If so, kindly give your detailed views as to how best a welfare fund can be set up for this section of workers.
4. In case such funds are to be set up, what ways you suggest for financing it? Will it be proper to introduce a system of nominal levy on licence fees at the time of registration of every vehicle operating in your State? If you agree, kindly also indicate the limit upto which such a levy/cess could be imposed? Do you anticipate any difficulty in the collection of this levy along with the registra-

tion fees by the transport authority in your State?

5. (a) In the case of State Owned Transport Industry, Transport Corporation or Transport Companies do you agree that a certain percentage of wage cost or of gross/net profit should be set apart for providing welfare measures? If so, what percentage do you think the economy of your Industry/Corporation/Company can reasonably bear within its economy and capacity?
- (b) If you do not agree with this suggestion, what alternative(s) would you suggest for financing the proposed welfare fund?
6. Do you think that the operators in the industry should also contribute to the proposed fund? If so, what should in your view, be their contribution?
7. Do you feel that the authority to administer this welfare fund should vest in an Autonomous Body representing the interests concerned or do you propose any other administrative machinery for the same?
8. Do you consider that a three-tier administrative set-up (Central, State/Regional and Local level) should be established?
9. Should such a fund be established, would you like the existing legislation to be amended or would you favour a new All India Act for the purpose?
10. Any other suggestion that you would like to propose having bearing on welfare fund for the transport operators?

APPENDIX III (x)

No. CLW(SC)/US/7/68-R.
Government of India
Ministry of Labour, Employment & Rehabilitation
(Department of Labour and Employment)
COMMITTEE ON LABOUR WELFARE

2A/3, Asaf Ali Road,
'Kundan Mansion'
NEW DELHI

Dated the 22nd April 1968.

To

The Organisations/Institutes/Schools engaged in the Welfare of disabled and physically handicapped persons.

Subject: Questionnaire of the Committee on Labour Welfare—Information thereon.

Sir,

You may be aware that the Government of India in the Ministry of Labour, Employment & Rehabilitation, Department of Labour & Employment have set up a Committee with Shri R. K. Malviya, former Union Deputy Labour Minister as Chairman, to review the whole range of statutory and non-statutory labour welfare schemes in operation in the different industrial sectors of the country and also to suggest improvements in the existing schemes and to recommend new welfare schemes for adoption. In this connection, a questionnaire has since been issued by the Committee to elicit information/suggestions on welfare measures for the workers.

As your organisation/institute/school is engaged in the welfare work for disabled and physically handicapped persons, your considered views and suggestions in this matter will be greatly valued. I am enclosing a copy of the questionnaire for favour of reply. You may send your views to this Committee particularly against question No. 60 with which you are mainly concerned. It is, further requested that information/views on the following important points may also kindly be intimated to this Committee at your earliest convenience, latest by 7th May, 1968.

1. How many disabled and physically handicapped persons are in your School/Institute/Organisation? Their break-up sex-wise may kindly be furnished.
2. Is your Institute/School/Organisation imparting any training to physically handicapped and disabled persons? If so, what are the trades and crafts on which training is given. Please mention the number of trainees in each craft/trade.

3. Do the trainees get any stipend or any payment in lieu of work done in the Institute/School? If so, kindly indicate the amount paid as well as period for which the stipend is given.
4. What are the durations of training in various trades?
5. After successful training, are they able to get employment outside to earn their livelihood? If so, how many are able to get it out of the total number of trainees every year. If the turn-over is low, then what are the reasons for it and what improvement do you suggest? This information may be given according to each trade or craft.
6. What are your existing employment oriented training programmes? How far you have been able to implement them? Are these programmes adequate? If not, what are your schemes? Please elaborate.
7. Do you propose any reservation of posts for disabled and physically handicapped persons in different industries and other establishment? If so, kindly list out the names of such industries and establishments together with the name of trade & craft.
8. What specific welfare facilities you would like this Committee to recommend to the Government for physically handicapped and disabled workers with a view to rehabilitate them?
9. Any other information which you would like to place before the Committee for its deliberations.

Yours faithfully,

Sd/-

(G. S. MADAN)
Secretary

APPENDIX III (iii)

No. CLW(SC)/US/3/68-R.

Government of India

Ministry of Labour, Employment & Rehabilitation
(Department of Labour and Employment)

COMMITTEE ON LABOUR WELFARE

2A/3, Asaf Ali Road,
'Kundan Mansion'
NEW DELHI

Dated April 25, 1968.

To

The Labour Commissioners of All State Governments and Union Territory Administrations.

Subject: Welfare Amenities provided to workers in the Small Scale, Village and Cottage Industries (Un-organised Sector).

Sir,

As you are aware, the Government of India have set up a Committee on Labour Welfare under the Chairmanship of Shri R. K. Malviya, former Union Deputy Labour Minister, to review the whole range of statutory and non-statutory labour welfare schemes and to have an appraisal of the scope and extent of implementation of these provisions in different factories, industries, mines, plantations, etc. in operation in the country including small scale, village and cottage industries. The Committee is also expected to suggest remedial measures as also to recommend new welfare schemes for adoption.

As there is a general dearth of information on welfare aspects in respect of workers employed in these industries, it is felt that you might be able to supply factual and consolidated information in respect of these workers of your State. If so, you are requested to favour us with the available published literature or a detailed note giving information on the following important points:—

1. What are the important unorganised Small Scale, Village and Cottage Industries in your State?
2. Give number of workers employed in each trade and industry directly or indirectly.
3. Capital invested in these industries.
4. What welfare facilities are at present, available to workers employed in different trades and industries and how are these administered and financed?
5. What difficulties are being experienced in the implementation of present welfare facilities and how do you propose to overcome them? Are these facilities adequate?
6. What new welfare amenities in addition to the existing one you propose to introduce in the case of the workers employed in these trades and industries for immediate present and what facilities can be provided to them on priority basis in a phased programme extending over a period of 5-20 years?
7. In what manner the new welfare facilities can be arranged and financed? Please send us your detailed plan.

8. Is it possible to arrange welfare facilities on combined basis in case of group of small establishments located in a contiguous area? If so, how?
9. Can welfare funds be set up for Small Scale, Village and Cottage Industries, etc., to provide welfare facilities to workers?
10. What should be the nominal cess which could be imposed on different trades and industry for financing welfare funds, keeping in view the economic position of the industry? Can this cess be levied on production or sale of products?
11. What machinery do you consider will be most suitable for administering welfare funds? Can this work be entrusted to an autonomous body representing all concerned? At what level a machinery should be established, i.e., Central State/Regional and Local?
12. For financing the welfare fund, do you agree with the suggestion of equal contributions from workers, employers, central and State Government or will you suggest some other basis of individual contributions?
13. What welfare facilities do you think can be organised through welfare fund?
14. As large number of contract, casual, women, children and handicapped workers are employed in these trades and industries having peculiar problems, what welfare measures would you like this Committee to recommend for them in order to improve their lot?
15. Any other matter connected with the welfare of workers engaged in Small-Scale (Unorganised), Village and Cottage Industries you would like to propose for the deliberations of the Committee.

Your views and suggestions on the points listed above may kindly be sent to this Committee at your earliest convenience latest by 1st May, 1968.

Thanking you,

Yours faithfully,

Sd/-

(MAHESH CHANDRA)

Assistant Director.

Copy forwarded to the Secretary, Department of Labour of all State Governments and Union Territory Administrations.

APPENDIX III (xii)

No. CLW(SC)/Mfg/7/68-R.

Government of India

**Ministry of Labour, Employment & Rehabilitation
(Department of Labour & Employment)**

COMMITTEE ON LABOUR WELFARE

2A/3, Asaf Ali Road,
'Kundan Mansion'
NEW DELHI

Dated 26th June, 1968.

To

1. The Liaison Officers in all States/Union Territories.
2. Employers' Organisations.
3. Workers' Unions.

**Subject: Gratuity Schemes in various Industries—
Information thereon.**

Dear Sir,

I shall be grateful if you could very kindly send to the Secretariat of the Committee detailed information on the working of the Gratuity Schemes, the benefits of which are available to Industrial Workers in your respective State/Industries/Organisations. This information is required to be studied by the Committee in connection with some decisions having been arrived at in the meetings of the Committee. I shall, therefore, be obliged if the information is given to us latest by the middle of July, 1968.

The information that you send to the Secretariat, may kindly include, inter-alia (i) the year of the commencement of the scheme in a particular industry; (ii) the industries to which it is applicable; (iii) the scale of Gratuity payable to workers under various contingencies viz., death, retirement, resignation, age of super-annuation, dismissal, etc.; (iv) the categories of workers covered under the Scheme; (v) any other information incidental to Gratuity Schemes, etc.

This information will enable the Committee to have a complete picture of the welfare amenities available to workers in various establishments all over the States. The details of this information are, at present not complete with the Secretariat of the Committee. Hence this request to you.

Yours faithfully,

Sd/-

(G. S. MADAN)

Member Secretary



APPENDIX III (xiii)

No. CLW(SC)/US/20/68-R.

Government of India

Ministry of Labour, Employment & Rehabilitation

(Department of Labour & Employment)

COMMITTEE ON LABOUR WELFARE

**2A/3, Asaf Ali Road,
'Kundan Mansion'
NEW DELHI**

Dated the 18th July, 1968.

To

**The Director of Fisheries, All State Govern-
ments/Union Territory Administrations.**

**Subject: Questionnaire of the Committee on
Labour Welfare—facilities for fishermen.**

Sir,

As you are aware that the Government of India in the Ministry of Labour, Employment and Rehabilitation (Department of Labour and Employment) have set up a Committee on Labour Welfare, under the Chairmanship of Shri R. K. Malviya, former Union Deputy Minister for Labour, to review the whole range of statutory and non-statutory labour welfare schemes in operation in the country in different industries in all sectors including fisheries. The Committee is also expected to examine the existing welfare facilities available to fishermen in the country and to suggest improvements as also to recommend other welfare measures for introduction wherever considered necessary.

In pursuance the Committee on Labour Welfare has issued a questionnaire to Central, State Governments, employers' and workers' organisations, public and private bodies and individual of repute in order to elicit their suggestions/views on matters pertaining to labour welfare. A copy of this questionnaire is sent herewith for your kind informa-

tion and for favour of early reply. You may however, respond to only such questions as are of interest to you but the Committee would certainly prefer your detailed views on questions listed under Parts II and III and questions No. 52, 58 & 68, of the questionnaire. Besides, the Committee would be grateful if you could kindly send us a detailed note containing information on following points :—

1. Existing statutory and non-statutory welfare amenities which are available to the fishermen in your States;
2. How are these facilities, administered and financed;
3. What more facilities would you like to be extended to fishermen; and
4. Any other suggestions having a bearing on welfare facilities concerning fishermen for the deliberations of the Committee.

Kindly send the required information latest by August 5, 1968.

Yours faithfully,

Sd/-

(G. S. MADAN)

Member Secretary.

APPENDIX III (xiv)

No. CLW (SC)/Mfg/5-1/68-R.

Government of India

Ministry of Labour, Employment & Rehabilitation

(Department of Labour & Employment)

COMMITTEE ON LABOUR WELFARE

2A/3, Asaf Ali Road,
'Kundan Mansion'
NEW DELHI.

Dated July 23, 1968.

To

All the State Governments (including Union Territories)

Subject: Constitution of All-India Central Inspectorate Services—views thereon.

Dear Sir,

I am to refer to this Committee's Circular Letter of even number dated the 22nd March, 1968, regarding evaluation of statutory welfare provisions under the Factories Act in your State. In this connection, the Committee invites the attention of the State Governments to Question No. XI of the Circular letter which reads as follows:—

“Considering the inadequacy of inspection machinery and non-availability of trained personnel does the Sub-Committee favour the idea of constituting an All India Uniform and Integrated Inspectorate Service to attract talent and for effective and efficient administration of the existing statutory welfare provisions? If so, how and in what manner?”

2. The National Commission on Labour, had appointed a Study Group on Labour Legislation and the Study Group in its interim Report has recommended that for the effective implementation of the provisions of the Labour Code, there should be a common Judicial Cadre and a com-

mon administrative cadre and it has accordingly recommended two separate Cadres viz. (i) the Labour Judicial Service and (2) Labour Administrative Service.

3. It is, therefore, requested that the State Governments may kindly examine the issue in question in greater detail and send their considered views whether it would be more fruitful to have a common or All India Inspection Service for the purpose of enforcing implementation on Labour Legislation effectively.

4. It has been stated in evidence before the Committee in a majority of States that the Inspectorate is inadequate and that right type of people are also not attracted due to low grades. This difficulty, it is felt, would be overcome when there is an All India Service on the lines of the Labour Administrative Service, which will have uniform terms and conditions of a service and better pay scale.

5. I shall be grateful if your views in the matter could be sent to us preferably by the first week of August, 1968.

Yours faithfully,

Sd/-

(G. S. MADAN)

Member Secretary

APPENDIX III (xv)

No. CLW(23)/M/68-R.

Government of India

Ministry of Labour, Employment & Rehabilitation

(Department of Labour & Employment);

COMMITTEE ON LABOUR WELFARE

2A/3, Asaf Ali Road,
'Kundan Mansion'
NEW DELHI

Dated July 29, 1968.

To

The Labour Commissioner of all States/Union Territories.

Subject: Provision of welfare amenities to workers employed in minor minerals.

Sir,

As you are aware an 18 Member National Tripartite Committee, under the Chairmanship of Shri R. K. Malviya, former Union Deputy Labour Minister, in the Government of India, has been touring to various States and Union Territories since October, 1967, to collect evidence and exchange views on the need, existing practices and methods, financing, administration, and improvements, if any, in the field of provision of labour welfare amenities to the working population in the country whether in factories plantations, mines or in the shops and commercial establishments.

During the course of its tours to the various States, it has been generally accepted in principle that time has now come when some welfare amenities or the other may be made available to all workers. The emphasis here has been on provision of basic minimum welfare amenities to such workers as have been, hitherto, uncovered by any statute whether Central or State, which provides welfare amenities to industrial workers.

The tours of the Committee to all the States (except Jammu & Kashmir, which the Committee would be visiting in a couple of months) have revealed that there is a very large number of workers to whom no benefit of any welfare amenity, whatsoever, has been provided or if provided is on a very meagre scale, because they are not covered by any statute due to administrative difficulties or financial viability of the units concerned either because of their scattered nature or because of their being in the Small Scale and Cottage Sector.

One such group of Industries is minor minerals. A statement of such minerals, the number of mines in each mineral, average daily production and employment, as in 1966, is enclosed for your kind information. The latest data on the subject is not yet available with the Committee.

It has been a regular practice with the State Governments to levy a royalty for the lease given to private parties for quarrying and mining of these minerals. This Committee has not come across with substantial evidence to indicate that welfare amenities are provided to workers employed in these mining industries in any State on an

organised basis or as a regular measure. Even the basic minimum necessities like pure and hygienic drinking water, minimum medical aid to render first aid, etc., thatched rest shelters for workers to take rest and at some places of concentration even canteens and creches have not been provided to workers whose number must be running into lakhs all over these States.

This is an important problem for this Committee. In order to enable the Committee to resolve the problem and to recommend provision of at least minimum basic welfare amenities to workers employed in the said mining industries quite a good number of whom comprises women as well, I shall be grateful to have your views on the following issues:—

1. Which of the mining industries mentioned in the appendix exist in your State/Union Territory? How many workers, roughly, do you think are employed in these industries on (i) regular basis (ii) casual basis and (iii) contractual basis? Please give your figures of mines workers, number of persons employed daily and the quantity produced in case of each mining industry separately.
2. What welfare amenities, if any, in your State are being provided to workers engaged in these mining industries?
3. If no welfare amenities are being provided either by the employers or by the State, what minimum welfare amenities do you think should be provided to such workers whether they are regular or casual or employed through contractors?
4. If it is accepted in principle that some welfare amenities must be provided to such workers as well, would you be able to finance these welfare amenities? What of these should be shared between the State and the employer, what should be provided by the employer alone and what should be provided by the State?
5. In case of such amenities as are to be provided by State Governments what portion of royalty could you divert for financing these amenities?
6. What have been your earnings on royalty on minor minerals during the last five years?
7. If no part of the royalty can be, diverted to the financing of welfare amenities, what other means of financing these amenities would you like to suggest?

8. Do you think that a scheme like Coal Mines Labour Welfare Fund Scheme, through the levy of a nominal cess on the produce or despatch of minor minerals can be made applicable in the case of these minerals as well. If so, what quantum of levy would you suggest on their produce or despatch. In this connection a copy of abstracts of the activities of Coal Mines Fund is enclosed for your kind information.
9. If you agree to a notional or nominal levy like that of Coal which is 50 paise a tonne how would you like to collect it and what administrative set up would you suggest for the same?
10. Would you suggest that there should be a Central Corporation with State Corporations as its branches for collection and administration of funds and provisions of welfare amenities therefrom? If not, what alternative measures would you suggest?
11. As it is a very important problem, the

Committee would like to have your view on the desirability, feasibility and practicability of providing welfare amenities to this large mass of uncovered workers, preferably by the middle of August, 1968.

It is realised that it will involve considerable task for the State Governments and Administrations of Union Territories to collect this information. But keeping in view the need for giving some relief by way of welfare amenities to this large number of workers and also keeping in view the limited time at the disposal of the Committee within which it has to make its recommendations to the Government of India, I have every hope that you would kindly send us your detailed views and replies by August 14, 1968, despite your heavy pre-occupations.

Your faithfully,

Sd/-

(G. S. MADAN)

Member Secretary.



**ANNEXURE TO APPENDIX III (XV) STATEMENT OF NUMBER OF MINES, AVERAGE
DAILY EMPLOYMENT AND OUTPUT FOR THE YEAR, 1966**

Sl. No.	Name of mineral	Number of mines worked	Unit of output	Output	Average daily employment
1	2	3	4	5	6
	Coal	823	Tonnes	70,386,970	425,488
<i>Non Coal :</i>					
1	Amethyst	..	..	..	..
2	Apatite	8	Tonnes	16,999	621
3	Asbestos	39	"	6,300	1,279
4	Barytes	42	"	47,764	1,692
5	Bauxite	34	"	745,716	3,361
6	Calcite	14	"	13,755	291
7	Chinaclay, Clay & Whiteclay	122	"	685,653	9,073
8	Chromite	7	"	77,248	759
9	Copper Ore	5	"	484,052	4,796
10	Corundum	1	"	385	97
11	Diamond	2	Carats	1,237	393
12	Dolomite	48	Tonnes	1,045,173	5,747
13	Emerald (Crude)	2	Carats	19,826	35
14	Felspar	29	Tonnes	23,747	492
15	Fireclay	74	"	369,159	3,514
16	Flourite	4	"	13,873	777
17	Galena & Sphalerite	2	"	149,019	1,303
18	Garnet (Non-gem) Gem	7	Kgms. (Gem)	43,613 (Abrasive) 1,063	209
19	Gold	4	"	3,736	11,392
	Silver	..	..	297	..
20	Graphite	33	Tonnes	14,202	1,648
21	Gravel	2	"	45,184	95
22	Gypsum	93	"	1,249,806	6,174
23	Iron Ore	300	"	24,614,251	60,770
24	Iron Pyrites	2	"	422	418
25	Kyanites	8	"	64,008	979
26	Limestone	289	"	20,291,886	55,848
27	Laterite	..	"	12,219	Labour figures in- cluded with Chin- acalay.
28	Magnesite	8	"	231,946	7,376
29	Manganese	295	"	1,606,131	46,983
30	Mica	605	"	21,728	19,745

1	2	3	4	5	6
31 Ochre		36	Tonnes	29,631	808
32 Quartz.		23	"	127,539	930
33 Salt		2	"	3,987	100
34 Sandstone		11	"	146,870	615
35 Selenite		1	"	3,405	39
36 Silica		22	"	69,554	585
37 Sillimanite		3	"	10,554	276
38 Slate		25	"	17,893	1,383
39 Steatite		94	"	130,175	3,859
40 Stone		175	"	3,715,684	12,313
41 Vermiculite		1	"	334	25
42 Wolfram		2	Kgms.	31,672	438
43 Oil		7	"	"	"
44 Fuller's			Tonnes	4,670,435	6,768
Earth		1	Tonnes.	786	61
TOTAL NON-COAL		2,482	"	"	274,267
TOTAL ALL MINERALS		3,305	"	"	699,755

Annexure to Appendix III(xv)

COMMITTEE ON LABOUR WELFARE

Main activities of the Coal Mines Labour Welfare Fund

The Coal Mines Labour Fund Act was passed in 1947 with a view to constitute a Fund called 'Coal Mines Labour Housing and General Welfare Fund' for financing measures to promote the welfare of labour employed in the Coal Mining Industry.

The Act provides for a levy of cess on the coal and coke despatched from collieries at the rate of 49.41 paise per metric tonne (i.e. the maximum permissible under the Act.).

The annual proceeds of the Fund are above Rs. 3.5 crores and these are generally distributed between the Housing Accounts and the 'General Welfare Account' in the ratio of 50:50 and it is administered by the Coal Mines Labour Welfare Commissioner.

The activities of the Fund broadly classified under "Medical" "Housing," and "General Welfare" are as follows :—

(1) *Medical facilities* : The Fund provides Central and Regional Hospitals, Dispensaries (Allopa-

thic Ayurvedic), Maternity and Child Welfare Centres, Health Promotion Centres and Family Counselling Centres. The Fund also provides treatment facilities for T.B., Leprosy, Cancer, mental diseases and other malignant diseases and carried out Malaria and Filaria surveys to promote general health of the workers. It also supplies artificial limbs, spectacles, dentures, etc. to the workers free of cost.

(2) *Housing Facilities* : The Fund provides housing facilities under various schemes such as subsidy scheme, subsidy-cum-loan scheme, low cost housing scheme including wooden houses, Build your own house scheme, Cooperative Housing Scheme and undertakes construction of townships etc.

(3) *Educational, Recreational and General Welfare Facilities* : The Fund maintains multipurpose institutes imparting adult and social education, schools for children, crafts training for families, etc. It also provides benefits like Scholarships and tuition fees education allowance and boarding houses for the children of miners. The Fund also provides facilities like Holiday Homes, Bharat Darshan Tours, Games and Sports, Water Supply, Transport to and from work. It also organises cooperative societies and stores and cooperative movement in Coal Fields.

APPENDIX III (xvi)

No. CLW(39)/68-U.D.

Government of India

Ministry of Labour, Employment & Rehabilitation

(Department of Labour & Employment).

COMMITTEE ON LABOUR WELFARE

2A/3, Asaf Ali Road,
'Kundan Mansion'
NEW DELHI

Dated, August 27, 1968.

To

Individual Units including Public Sector Undertakings.

Subject: Break up of the annual expenditure on Labour Welfare.

Sir,

I am directed to refer to your letter No..... dated by which the reply to the questionnaire has been furnished to the Committee on Labour Welfare.

The Committee has so far visited all the States except Jammu & Kashmir and collected oral evidence on various aspects of labour welfare, related to the terms of reference of the Committee on Labour welfare. Some of workers' organisations that appeared for oral evidence before the Committee stated that expenditure on E.S.I. contribution from the management, Provident Fund contribution, payments under the Workmen Compensation Act and certain other items as well, which according to the existing classification, were not included in the scope of labour welfare had also been included in labour welfare. At one place, it was stated that even the expenditure on recreation for the visitors calling on officers in certain establishments was included in labour welfare.

I shall, therefore, be grateful if you could very kindly let us know immediately or latest by September 25, 1968, the break up of the annual

expenditure for the last 3 years on various items that have been included under the heading 'Labour Welfare' in the reply sent by you to the Committee's questionnaire. I shall also be grateful if you could very kindly submit this information with the total cost of production of your establishment for the last 3 years and the total wage costs and the ratio that the expenditure on labour would bear to the wage cost. In the information already given by you in the term 'Labour Welfare' you might have included expenditure on E.S.I. contributions, Provident Fund contribution, payment under the Workmen's Compensation Act, etc. The ratio would, therefore, after if expenditure on all these items and such other items as strictly do not fall within the term 'Labour Welfare' as understood at present, is taken out.

The Committee on Labour Welfare, while seeking this information, only wants to have an idea of the varying practices and the varying interpretations that are, perhaps, being attached by different establishments in the labour welfare and the scope of this term."

I have every reason to believe that you will have no objection to part with this information to facilitate the work of the Committee further in the matter.

Yours faithfully,

Sd/-

(G. S. MADAN)

Member Secretary.

APPENDIX III (xvii)

No. CLW(57)/68-U.I.

Government of India

Ministry of Labour, Employment & Rehabilitation

(Department of Labour & Employment).

COMMITTEE ON LABOUR WELFARE

2A/3, Asaf Ali Road,
'Kundan Mansion'
NEW DELHI

25th January, 1969.

To

Yoga and Nature Cure Establishments.

Dear Sir,

The Government of India has constituted a Committee on Labour Welfare under the Chairmanship of Shri R. K. Malviya (Former Union Deputy Labour Minister), to review the existing welfare amenities available to labour and to suggest measures for their improvement. A copy of the Questionnaire issued by the Committee on Labour Welfare is enclosed for your information.

Health plays an important part in our study. While recording the views of the parties, the Committee was apprised of the potentialities of nature cure/yogic system and their preventive and curative value. It has also been suggested that besides improving physical fitness, they develop discipline among the participants. The Committee therefore, wishes to study these subjects with a view to making recommendations to the Government for introducing them for general well being of the people and more particularly the working class with which this Committee is concerned directly. You are in a very good position to guide and suggest us a scheme for propagation of nature cure/Yogic system for industrial workers. We shall be grateful if you kindly favour the Committee with your views on the following points :—

- (1) The therapeutic, preventive and curative value of nature cure/yogic system. Kindly

detail your views supported by your experiments and experience.

- (2) A plan for training of personnel and organisation of the Institutes, including financial implications and the administrative requirements.
- (3) The Committee has under consideration establishment of sanatoria and health resorts in selected places known for salubrious climate and sulphur springs etc. Could nature cure clinics/yogic system institutes be conveniently established in coordination with these institutions?

You may please reply our queries either on nature cure or yoga in whichever you may be interested or on both.

We shall be grateful to have your detailed reply to the above queries along with supporting material, reports for the last at least two years and other relevant literature latest by the 15th of February, 1969.

Yours faithfully,

Sd/-

(G. S. MADAN)

Member Secretary.

APPENDIX IV (A)

LIST OF PARTIES WHO REPLIED TO THE COMMITTEES MAIN QUESTIONNAIRE

ANDHRA PRADESH

1. Labour Department, Government of Andhra Pradesh, Hyderabad.
2. India Government Mint, Saifabad, Hyderabad.
3. Visakhapatnam Port Trust, Visakhapatnam.
4. Hindustan Aeronautics Ltd., Hyderabad.
5. Vizaghatnam Dock Labour Boards, Visakhapatnam.
6. Hindustan Shipyard Ltd., Visakhapatnam.
7. Praga Tools Ltd., Secunderabad.
8. Executive Engineer, P.W.D., Roads and Buildings Division, Nalgonda.
9. Andhra Pradesh State Road Transport Corporation, Hyderabad.
10. Director of Medical and Health Services, Andhra Pradesh, Hyderabad.
11. Director of Municipal Administration, Khairatabad, Hyderabad.
12. The Andhra Cooperative Spinning Mills Ltd., Guntakal.
13. Federation of Andhra Pradesh Chambers of Commerce and Industry, Hyderabad.
14. Indian Dentonators Ltd., Kukatpalli, Hyderabad.
15. Film Exhibitors Association, Royal Talkies, Hyderabad.
16. Adoni Spinning and Weaving Co. Ltd., Adoni.
17. National Jute Weavers' Association, Bhavanipuram, Vijayawada.
18. Reserve Bank of India Workers' Organisation, Jambagh, Hyderabad.
19. Andhra Pradesh Agricultural Labour Union, Himayatnagar, Hyderabad.
20. Shri M. Shyam Mohan, Personnel Officer, The S. C. Co. Ltd., Belampalli.
21. Chodavaram Cooperative Agricultural Society Ltd., Govada, (Distt. Visakha.)
22. Indian Association of the Trained Social Workers, Hyderabad.

ASSAM

23. The Labour Commissioner, Assam, Shillong.
24. Cantonment Board, Shillong.
25. The Chief Conservator of Forests, Assam, Shillong.

26. The Assam Tea Employees' Welfare Board, Shillong.
27. The Oil India Limited, P.O. Duliajan, (Distt. Lakhimpur.)
28. Assam Cooperative Sugar Mills Ltd., P.O. Barubamungaon, (District Sibasagar.)
29. Assam Oil Company Ltd., P.O. Digboi.
30. Steelworth (P) Ltd., Steelnagar, Tinsukia.
31. The Electricity Coordination Committee, Dhankheti, Shillong.
32. Indian National Plantation Workers' Federation, Silchar, (District Cachar.)
33. City Bus Employees' Union, Bharalumukh, Gauhati.
34. The Refinery Workers' Union, Gauhati.
35. Indian National Trade Union Congress, Assam Branch, Chiring Chapari, P.O. Rehbari, Dibrugarh.
36. Cachar Cha Sramik Union, INTUC, Silchar, (District Cachar.)
37. Indian National Trade Union Congress, Jorhat.

BIHAR

38. Labour and Employment Department, Government of Bihar, Patna.
39. Bihar State Superphosphate Factory, Sindri.
40. Heavy Machine Building Plant, Heavy Engineering Corporation, Ranchi.
41. Heavy Engineering Corporation Ltd., Ranchi.
42. Hindustan Steel Ltd., Ranchi.
43. Bokaro Steel Ltd., P.O. Bokaro Steel City, (Distt. Hazaribagh.)
44. National Coal Development Corporation Ltd., Ranchi.
45. Fertilizer Corporation of India, Sindri.
46. Public Works Department, Bihar, Patna.
47. Bihar State Industrial Development Corporation Ltd., Patna.
48. Bihar State Secretariat Press, Patna.
49. Patna Municipal Corporation, Patna.
50. High Tension Insulator Factory, Ranchi.
51. Central Bank of India, Employees Association, Muzaffarpur.

52. Indian Colliery Owners' Association, Dhanbad.
53. Imperial Tobacco Co. of India Ltd., Monghyr.
54. Lohat Sugar Works of Durbhanga Sugar Co. Ltd., Lohat, (Distt. Durbhanga.)
55. Tata Engineering & Locomotive Co. Ltd., Jamshedpur.
56. New India Sugar Mills Ltd., P. O. Hasanpur, (Distt. Darbhanga.)
57. The Tinplate Co. of India Ltd., Golmuri, (Distt. Singhbhum.)
58. Jamshedpur Mazdoor Union, Sakchi, Jamshedpur.
59. Tata Workers' Union, Jamshedpur.
60. Bihar Indian National Trade Union Congress, Patna.
61. Bihar Koyla Mazdoor Sabha & Coal Workers' Union, Dhanbad.
62. Bihar State Road Transport Corporation Karmachari Union, Patna.
63. Bihar Labour and Welfare Officers' Association, Patna.

GUJARAT

64. Education & Labour Department, Government of Gujarat, Ahmedabad.
65. Municipal Corporation, Ahmedabad.
66. Bhuj Municipality, Bhuj, (Distt. Kutch.)
67. Superintendent, Civil Hospital, Ahmedabad.
68. Surendranagar Joint Municipality, Surendranagar.
69. Baroda Rayon Corporation Ltd., Udhna, (Distt. Surat).
70. Ahmedabad Millowners' Association, Ahmedabad.
71. Shree Digvijay Cement Co. Ltd., Sikka.
72. Saurashtra Millowners' Association, Surendranagar.
73. Saurashtra Chemicals, Porbandar.
74. State Bank of Saurashtra, Bhavnagar.
75. Alembic Chemical Works Co. Ltd., Baroda.
76. Indian National Trade Union Congress, Ahmedabad.
77. Shri P. S. Jenthara, Board of Studies in Sociology, Saurashtra University, Rajkot.

HARYANA

78. Labour Commissioner, Haryana, Chandigarh.
79. National Mineral Development Corporation, Faridabad.

80. National Dairy Research Institute, Karnal.
81. Executive Officer, Municipal Committee, Hissar.
82. Panipat Cooperative Sugar Mills Ltd., Panipat.
83. The Atlas Cycle Industries Ltd., Sonapat.
84. Hissar Textiles Mills, Hissar.
85. Indian National Trade Union Congress, Haryana Branch, Yamunanagar, (Distt. Ambala.)

JAMMU & KASHMIR

86. Labour Department, Government of Jammu & Kashmir, Srinagar.
87. Jammu & Kashmir Minerals Ltd., Srinagar.
88. Central Silkworm Seed Station, Srinagar.

KERALA

89. Labour Commissioner, Kerala, Trivendrum.
90. Deputy Chief Inspector of Factories and Boilers, Kerala State, Trivandrum.
91. Cochin Navy Office, Cochin.
92. Rubber Board, Kottayam.
93. Cochin Port Trust, Cochin.
94. Coir Board, Ernakulam.
95. Cardamom Board, Ernakulam.
96. The Fertilizers and Chemicals Travancore Ltd., Udyogmandal P.O., Alwaye.
97. Cochin Dock Labour Board, Cochin.
98. Hindustan Insecticides Ltd., Udyogmandal, Alwaye.
99. State Bank of Travancore, Trivandrum.
100. Aluminium Industries Limited, Kundara.
101. Travancore Titanium Products Ltd., Travancore.
102. Western India Cotton Ltd., Pappinisseri P.O., Cannanore.
103. The Travancore Rayons Ltd., Rayonpuram.
104. The Association of Planters of Kerala, Kottayam.
105. Punalur Paper Mills Ltd., Punalur.
106. The Travancore Cement Ltd., Nattakom, Kottayam.
107. The Nedungadi Bank Ltd., Calicut.
108. Kerala State Trade Union Council of AITUC, Panarilla Jn., Trivandrum.
109. Kerala State I.N.T.U.C., Cochin.

110. Kerala State Transport Employees' Union and Trivandrum District Motor Service and Workshops Employees' Union.
111. Thiru-cochi Karshaka Thozhilali Sangham, INTUC, Alleppey.

MADHYA PRADESH

112. Labour Commissioner, Madhya Pradesh, Indore.
113. Inspectorate of Armaments and Gauges, Jabalpur.
114. The Inspectorate of Armaments, Khamaria, Jabalpur.
115. Inspectorate of Military Explosives, Khamaria P.O., Jabalpur.
116. Security Paper Mills Project, Hoshangabad.
117. Heavy Electricals (India) Ltd., Bhopal.
118. Diamond Mining Project, Panna.
119. National Newsprint and Paper Ltd., Nepanagar.
120. Central Tasar Silkworm Seed Station, Lakha.
121. Cantonment Board, Mhow.
122. Madhya Pradesh Electricity Board, Jabalpur.
123. Municipal Council, Betul.
124. Municipal Council, Neemuch.
125. Municipal Council, Itarsi.
126. Rajkumar Mills Ltd., Indore.
127. State Bank of Indore, Indore.
128. Madhya Pradesh Organisation of Industries, Bhopal.
129. Shree Sajjan Mills Ltd., Ratlam.
130. Nandlal Bhandari Mills Ltd., Indore.
131. Madhya Pradesh Textile Mills Association, Indore.
132. Jhagrakhand Collieries Ltd., Jhagrakhand.
133. Satna Cement Works, Satna.
134. Lime Manufacturers' Association, Jukehi.
135. Kymore Cement Works (A.C.C. Ltd.), Kymore.
136. Jiyajeerao Cotton Mills, Birla Nagar, Gwalior.
137. Krishna Ram Baldeo Bank Ltd., Gwalior.
138. Rashtriya Kagaj Mill Karamchari Union, Nepanagar.
139. Colliery Labour Union, Rungta Colliery Mazdoor Sangh, Ramnagar Colliery Shramik Sangh, Distt. Shahdol.
140. Azad Koyla Shramik Sabha, Jhagrakhand.

141. Indore Division Insurance Employees' Association, Indore.
142. Indian National Mine Workers' Federation, Chirimiri.
143. Madhya Pradesh Colliery Workers' Federation, Chirimiri.
144. Kymore Quarry Karamchari Sangh and Choona Mazdoor Congress, Kymore.
145. Kymore Cement Mazdoor Congress, Kymore.
146. Madhya Pradesh Trade Union Congress, Indore.
147. Gun Carriage Factory Karamchari Union, Jabalpur.
148. Madhya Pradesh Rashtriya Koyla Khadan Mazdoor Sangh, Chhindwara.
149. M. P. Koyla Mazdoor Panchayat, Kurasia.

MAHARASHTRA

150. Industries and Labour Department, Government of Maharashtra, Bombay.
151. Director General Factory Advice Service and Labour Institutes, Bombay.
152. India Government Mint, Bombay.
153. Inspectorate of Armaments, Varangaon, (Distt. Jalgaon).
154. Inspectorate of Armaments, Ambar Nath.
155. Inspectorate of General Stores, West India, Bombay.
156. Inspectorate of Armaments, Kirkee, Poona.
157. Chief Inspector, CIME, Kirkee, Poona.
158. Chief Inspectorate of Armaments, Kirkee, Poona.
159. Inspectorate of Military Explosives, Bhandara.
160. Naval Dockyard, Bombay.
161. India Security Press, Nasik Road.
162. Khadi and Village Industries Commission, Bombay.
163. Bombay Port Trust, Bombay.
164. State Bank of India, Bombay.
165. Central Water and Power Research Station, P.O. Khadakwasla, Poona.
166. Bombay Dock Labour Board, Bombay.
167. Reserve Bank of India, Bombay.
168. Air India, Bombay.
169. Maharashtra State Road Transport Corporation, Bombay.
170. Maharashtra Housing Board, Bombay.
171. The Fertilizer Corporation of India, Trombay Unit, Bombay.

172. Hindustan Antibiotics Ltd., Pimpri, Poona.
 173. Indian Oil Corporation Ltd., Bombay.
 174. Manganese Ore (India) Ltd., Nagpur.
 175. The Mogul Line Ltd., Nagpur.
 176. Mazagaon Dock Ltd., Bombay.
 177. The Bombay Municipal Corporation, Bombay.
 178. Department of Fisheries, Government of Maharashtra, Bombay.
 179. Municipal Council, Bassein.
 180. Municipal Council, Bhandara.
 181. The English Card Clothing Co. Ltd., Bombay.
 182. Kemp and Co. Ltd., Bombay.
 183. J. B. Advani Orlikon Electrodes (P) Ltd., Poona.
 184. Central Bank of India, Bombay.
 185. Bombay Gas Company Ltd., Bombay.
 186. Swastik Oil Mills Ltd., Bombay.
 187. Mulchandani Electrical and Radio Industries Ltd., Bombay.
 188. Zandu Pharmaceutical Works Ltd., Bombay.
 189. American Spring and Pressing Works (P) Ltd., Bombay.
 190. Imperial Tobacco Co. of India Ltd., Bombay.
 191. Kirloskar Oil Engines Ltd., Poona.
 192. Corn Products Co. (India) (P), Ltd., Bombay.
 193. Esso Standard Eastern Inc., Bombay.
 194. National Peroxide Ltd. Chemical Works, Bombay.
 195. Cooper Engineering Ltd., Poona.
 196. Bank of India Ltd., Bombay.
 197. Century Chemicals, Kalyan.
 198. Zenith Steel Pipes Ltd., Khopoli (Distt. Kolaba).
 199. Morarjee Goculdas Spg. and Wvg. Co. Ltd., Bombay.
 200. Hindustan Spg. and Wvg. Mills Co. Ltd., Bombay.
 201. Bombay Dyeing and Manufacturing Co. Ltd., Bombay.
 202. Indian Manufacturing Co. Ltd., Bombay.
 203. The Jam Manufacturing Co. Ltd., Bombay.
 204. Shri Ram Mills Ltd., Bombay.
 205. Crown Spinning and Manufacturing Co. Ltd., Bombay.
 206. Standard Mills Co. Ltd., Bombay.
 207. Roche Products Ltd., Bombay.
 208. Victoria Mills Ltd., Bombay.
 209. Swadeshi Mills Co. Ltd., Bombay.
 210. The Phoenix Mills Ltd., Bombay.
 211. The Sassoon Spg. and Wvg. Co. Ltd., Bombay.
 212. Coorla Spg. and Wvg. Co. Ltd., Bombay.
 213. Tata Mills Ltd., Bombay.
 214. Kohinoor Mills Co. Ltd., Bombay.
 215. The Indian Cotton Mills' Federation, Bombay.
 216. The Employers' Federation of India, Bombay.
 217. Hindustan Lever Ltd., Bombay.
 218. Forbes Forbes Campbell & Co., Bombay.
 219. Automobile Products of India Ltd., Bombay.
 220. Swan Mills Ltd., Bombay.
 221. Finlay Mills Ltd., Bombay.
 222. The Millowners' Association, Bombay.
 223. The Elphinstone Spg. and Wvg. Mills Co. Ltd., Bombay.
 224. The All India Manufacturers Organisation, Bombay.
 225. Siemens Engineering and Manufacturing Co. of India Ltd., Bombay.
 226. Bombay Chamber of Commerce and Industry, Bombay.
 227. Digvijay Spinning and Weaving Co. Ltd., Bombay.
 228. The Engineering Association of India, Western Region, Bombay.
 229. Indian Dyestuff Industries Ltd., Kalyan.
 230. The Amar Dye Chem. Ltd., Kalyan.
 231. The Central India Spg. Wvg. & Mfg. Co. Ltd., Nagpur.
 232. The Federation of Associations of Stevedores, Bombay.
 233. Hind Mazdoor Sabha, Bombay.
 234. The Bombay Dock Workers' Co-operative Society Ltd., Bombay.
 235. Maharashtra Rajya Trade Union Committee, AITUC, Bombay.
 236. Bombay General Employees' Association, INTUC, Bombay.
 237. Bombay City Social Education Committee, Bombay.
- MYSORE**
238. Food, Civil Supplies and Labour Department, Government of Mysore.
 239. Central Sericultural Research & Training Institute, Nagarbad, Mysore.

240. Bharat Electronics Limited, Bangalore.
241. Indian Telephone Industries Limited, Dooravani Nagar, Bangalore.
242. Hindustan Machine Tools Ltd., Bangalore.
243. Mysore State Electricity Board, Bangalore.
244. Government Silk Weaving Factory, Mysore.
245. Hindustan Aeronautics Ltd., Bangalore Division, Bangalore.
246. Bharat Earth Movers Ltd., Bangalore.
247. Coffee Board, Bangalore.
248. Kolar Gold Mining Undertakings, Oorgaum P.O.
249. The Mysore Iron and Steel Ltd., Bhadravati.
250. Mysore State Road Transport Corporation, Bangalore.
251. Canara Bank Ltd., Bangalore.
252. State Bank of Mysore, Bangalore.
253. Karnataka Bank Ltd., Mangalore.
254. Imperial Tobacco Co. of India Ltd., Bangalore.
255. Motor Industries Co. Ltd., Bangalore.
256. Davangere Cotton Mills, Davangere.
257. Mysore Chamber of Commerce, Bangalore.
258. Mysore State Planters' Association, Chickmagalur.
259. The Bangalore Woollen, Cotton, Silk Mills Co., Ltd., Bangalore.
260. Syndicate Bank Limited, Manipal.
261. The Mysore State Plantations and General Labour Union, Chickmagalur.
262. Mysore Thetta Tholilalar Munnetra Sangam, Jayapura, Distt. Chickmagalur.
263. Indian National Trade Union Congress, Mysore Branch, Bangalore.
264. N.G.E.F. Workers' Union (Affiliated to Bhartiya Mazdoor Sangh), Bangalore.
265. I.T.L. Employees' Association (Bharatiya Mazdoor Sangh) Bangalore.
266. Bhartiya Mazdoor Sangh, Bangalore.
267. Workers' and Staff Association of Government Soap Factory, Bangalore.
268. Karnatak University, Dharwar.

NAGALAND

269. Labour Department, Government of Nagaland, Kohima.

ORISSA

270. Labour Department, Government of Orissa, Bhubaneshwar.

271. The Industrial Development Corporation of Orissa Ltd., Hira-Cement Works, Bardol.
272. Rourkela Steel Plant, Rourkela.
273. Orissa Government Press, (Madhupatna), Cuttack.
274. Paradeep Port. Distt. Cuttack.
275. The Orissa Road Transport, P.O. Berhampur, Distt. Ganjam.
276. Joint Director of Health Services, Cuttack.
277. Cuttack Municipal Council, Cuttack.
278. The Titagur Paper Mills Co., Ltd., Cuttack.
279. Orissa Millowners' Association, Cuttack.
280. Orissa Textile Mills Ltd., P.O. Chowdwar, Distt. Cuttack.
281. Kalinga Tubes Ltd., Chowdwar, Cuttack.
282. Hind Mazdoor Sabha, Orissa Branch, Cuttack.

PUNJAB

283. Labour Commissioner, Government of Punjab, Chandigarh.
284. Fertilizer Corporation of India Ltd., Nangal Unit, Naya Nangal.
285. Municipality of Tarn Taran, Amritsar.
286. State Bank of Patiala, Patiala.
287. Nangal Fertilizer Workers Union, Naya Nangal.
288. Bhartiya Mazdoor Sangh, Punjab Pradesh, Ludhiana.
289. Punjab Government Mechanical Workers' Union, Jullundur.
290. Punjab State Warehousing Corporation Employees' Union, Chandigarh.

RAJASTHAN

291. Labour Department, Government of Rajasthan, Jaipur.
292. Hindustan Zinc Ltd., Udaipur.
293. Sambhar Salt Ltd., Jaipur.
294. The Bank of Rajasthan Ltd., Jaipur.
295. The Rajasthan Industrial & Mining Association, Bhilwara.
296. State Bank of Bikaner & Jaipur, Jaipur.
297. Rajasthan State Committee of All-India Trade Union Congress, Jaipur.
298. Rajputana Salt Sources Cooperative Labour and Savings Society Ltd., Sambhar Lake.

TAMIL NADU

299. Commissioner of Labour, Chappauk, Madras.

300. Silkworm Seed Station, Coonoor.
301. Inspectorate of Armaments, Tiruchirappalli.
302. Chief Inspectorate of Heavy Vehicles, Avadi.
303. Food Corporation of India, Madras.
304. Madras Port Trust, Madras.
305. Nayveli Lignite Corporation Ltd., Nayveli.
306. Madras Dock Labour Board, Madras.
307. Hindustan Teleprinters Ltd., Madras.
308. Hindustan Photo Films Manufacturing Co., Ootacamund.
309. Director of Women's Welfare Teynampet, Madras.
310. Cantonment Board, Wellington.
311. Lakshmi Mills Co. Ltd., Coimbatore.
312. Indian Bank Ltd., Madras.
313. Oldham & Son (India) Ltd., Madras.
314. The Buckingham & Carnatic Mills, Madras.
315. The United Planters' Association of Southern India, Coonoor.
316. The Association of Planters of State of Tamil Nadu, Coonoor.
317. South India Viscose Ltd., Sirumugai, Distt. Coimbatore.
318. Sri Ramalinga Choodambikai Mills Ltd., Tirupur.
319. The South Indian Cinema Employers' Association, Madras.
320. Asher Textiles Ltd., Tirupur, Distt. Coimbatore.
321. The Southern India Millowners' Association, Coimbatore.
322. The Neelamani Plantation Workers' Union, Coonoor.
323. Madras Provincial Motor Transport and General Workers' Federation, Madras.
324. Life Insurance Agents' Federation of India, Madras.
325. The North Arcot Distt. Tannery Workers' Union, Vaniyabadi.
326. Indian National Trade Union Congress, Tamilnadu Branch, Madras.
327. Coimbatore Distt. General Workers' Progressive Union, Coimbatore.
328. Estates Staff Union of South India, Coonoor.
329. Dalmia Cement National Workers' Union, Dalmiapuram.
330. Tamilnad Electricity Workers' Federation, Madras.
331. Madras Port and Dock Workers' Congress, (INTUC), Madras.
332. Footwear Workers' Union, Madras.
333. Southern Railway Employees' Sangh, Madras.
334. Papanasam Labour Union and Madurai Mills Labour Union, Madurai.
335. Virdhunagar Textile Mills Labour Union, INTUC, Sulakari.
336. Ranipet Labour Union, Ranipeth.
337. The Deccan Sugar and Abkhari Co. Pugalur Staff Union, Pugalur.
338. The Madras School of Social Work and the Madras Branch of the Indian Association of Trained Social Workers, Madras.
339. The Simpson and Group Companies Employees' Cooperative Society Ltd., Madras.
340. Prof. D. Bright Singh, M.A. Ph. D., Professor of Economics, Madurai University, Madurai.

UTTAR PRADESH

341. The Labour Commissioner, Uttar Pradesh, Kanpur.
342. Chief Inspector of Plantations, Kanpur.
343. Chief Inspectorate of Instrument, Ministry of Defence, Raipur, (Dehradun).
344. Inspectorate of Armaments, Kanpur.
345. Inspectorate of Metals, Murad Nagar, Distt. Meerut.
346. Inspectorate of General Stores, Sahajanpur.
347. Inspectorate of General Stores, Central India, Kanpur.
348. Chief Inspectorate of Aerial Delivery Equipment, Agra Cantt.
349. Chief Inspectorate of General Stores, Kanpur.
350. Chief Inspectorate of Textiles and Clothing, Kanpur.
351. Oil and Natural Gas Commission, Dehradun.
352. Bharat Heavy Electricals Ltd., Hardwar.
353. Diesel Locomotive Works, Varanasi.
354. Government Cement Factory, Mirzapur.
355. The State Trading Corporation of India Ltd., Agra.
356. Cantonment Board, Bareilly.
357. Cantonment Board, Ranikhet.
358. Cantonment Board, Nainital.
359. Indian Veterinary Research Institute, Izatnagar.

360. Municipal Board, Jhansi.
361. Agra Water Works, Agra.
362. Govind Sugar Mills Ltd., P.O. Aira Estate (Distt. Kheri).
363. The Ramkola Sugar Mills Co. Ltd., Ramkola, Distt. Deoria.
364. The Western U.P. Chamber of Commerce, Meerut Cantt.
365. Advance Glass Works, Firozabad.
366. J. K. Organisation, Kanpur.
367. Amar Ujala, Agra.
368. Agra Shoe Manufacturers' Association, Shahganj.
369. National Chamber of Industries & Commerce, Agra.
370. Mohan Meakin Breweries Ltd., Mohan Nagar, Ghaziabad.
371. The Benaras State Bank Ltd., Varanasi.
372. The Imperial Tobacco Co. of India Ltd., Saharanpur.
373. Tea Garden Union, Dehradun.
374. All India Bank Employees' Federation, Central Office, Kanpur.
375. Lucknow Division Insurance Employees' Association, Lucknow.
376. Bhartiya Mazdoor Sangh, U.P. Branch, Kanpur.
377. Hind Mazdoor Sabha, Lucknow.
378. Employees' Provident Fund Staff Union, Kanpur.
379. U. P. Trade Union Congress, Kanpur.
380. U. P. Public Works Department, Employees' Union, Agra.
381. U. P. Labour Welfare Officers' Association, Kanpur.

WEST BENGAL

382. Labour Department, Government of West Bengal, Calcutta.
383. India Government Mint, Calcutta.
384. India Government Silver Refinery, Calcutta.
385. Expert Inspection Council, World Trade Centre, Calcutta.
386. The Commissioner for the Port of Calcutta.
387. The Chief Inspectorate of Small Arms, Ichapur.
388. Chief Inspectorate of Metals, Ichapur.
389. Inspectorate of Armaments, Cossipore, Calcutta.
390. Inspectorate of General Stores, East India, Calcutta.

391. Central Public Works Department, Calcutta.
392. Jute Commissioner, Office, Ministry of Commerce, Calcutta.
393. Cantonment Board, Barrackpore.
394. Cantonment Board, Labong.
395. Cantonment Board, Jalapahar.
396. Tea Board, Calcutta.
397. The National Instruments Ltd., Calcutta.
398. Farakka Barrage Project, Distt. Murshidabad.
399. Calcutta Dock Labour Board, Calcutta.
400. Damodar Valley Corporation, Calcutta.
401. The Central Road Transport Corporation Ltd., Calcutta.
402. Calcutta State Transport Corporation, Calcutta.
403. Philips India Ltd., Calcutta.
404. Gresham and Craven of India. (P) Ltd., Calcutta.
405. United Bank of India Ltd., Calcutta.
406. The Imperial Tobacco Co. of India Ltd., Calcutta.
407. Smith Stanistreet & Co. Ltd., Calcutta.
408. The Aluminium Manufacturing Co. (P) Ltd., Calcutta.
409. Indian Engineering Association, Calcutta.
410. United Industrial Bank Ltd., Calcutta.
411. Sankey Wheels Ltd., Durgapur.
412. Indian Tea Association, Calcutta.
413. Indian Jute Mills Association, Calcutta.
414. Andrew Yule & Co. Ltd., Calcutta.
415. Indian Sugar Mills Association, Calcutta.
416. Tea Association of India, Calcutta.
417. British India Electric Construction Co. Ltd., Calcutta.
418. Bharat Chamber of Commerce, Calcutta.
419. West Bengal Tea Employees' Union, Jalpaiguri.
420. Indian National Mine Workers' Federation, Calcutta.
421. Indian National Port and Dock Workers' Federation, Calcutta.
422. United Trade Union Congress, Calcutta.
423. All-India Port and Dock Workers' Federation, Calcutta.

CHANDIGARH

424. Bhartiya Mazdoor Sangh, Chandigarh.
425. Chandigarh Transport Undertaking Workers' Union, Chandigarh.

DELHI

426. Labour Commissioner, Delhi Administration, Delhi.
427. Director General of Health Services, New Delhi.
428. Ministry of Health and Family Planning, New Delhi.
429. Central Ordnance Depot, Delhi Cantt.
430. Research & Development Organisation (Ministry of Defence) New Delhi.
431. Ministry of Home Affairs, New Delhi.
432. Ministry of Commerce, New Delhi.
433. Employees' State Insurance Corporation, New Delhi.
434. Central Public Works Department, New Delhi.
435. Ministry of Works, Housing & Supply, New Delhi.
436. Inspectorate General of Forest, Ministry of Food and Agriculture, New Delhi.
437. Director General Armed Forces Medical Services, Ministry of Defence, New Delhi.
438. Ministry of Labour, Employment & Rehabilitation (Deptt. of Labour & Employment), New Delhi.
439. Ministry of Railways, New Delhi.
440. Chief Controller of Printing & Stationery, New Delhi.
441. Ministry of Transport & Shipping, New Delhi.
442. Naval Headquarters, New Delhi.
443. National Projects Construction Corporation Ltd., New Delhi.
444. Janpath Hotels Ltd., New Delhi.
445. Bharat Aluminium Co. Ltd., New Delhi.
446. Hindustan Housing Factory Ltd., New Delhi.
447. Central Vehicle Depot, Delhi Cantt.
448. Hindustan Insecticides Ltd., New Delhi.
449. National Industries Development Corporation Ltd., New Delhi.
450. Indian Air-lines, New Delhi.
451. National Committee for Gandhi Centenary, New Delhi.
452. The National Small Industries Corporation, New Delhi.
453. Indian Drugs and Pharmaceuticals Ltd., New Delhi.
454. Ashoke Hotels Ltd., New Delhi.
455. Delhi Development Authority, New Delhi.
456. Delhi Electric Supply Undertaking, New Delhi.
457. New Delhi Municipal Committee, New Delhi.
458. Delhi Transport Undertaking, New Delhi.
459. The Federation of Hotel and Restaurant Associations of India, New Delhi.

460. Delhi Cloth Mills, Delhi.
461. D.C.M. Silk Mills, Delhi.
462. British Overseas Airways Corporation, New Delhi.
463. Swatantra Bharat Mills, New Delhi.
464. All India Organisation of Industrial Employers, New Delhi.
465. Hamdard Laboratories (India) Ltd., New Delhi.
466. Central Govt. Labour Officers' Association, New Delhi.
467. All-India Trade Union Congress, New Delhi.
468. Uttar Railway Number Porters Union, Delhi.
469. Indian National Trade Union Congress, New Delhi.
470. Delhi Municipal Workers' Sangh, Delhi.
471. Indian National Trade Union Congress (Delhi Pradesh), New Delhi.
472. New Delhi Trade Employees Association, New Delhi.
473. Shri Shanti Lal Shah, M.P., New Delhi.
474. Shree Ram Centre for Industrial Relations, New Delhi.

GOA, DAMAN AND DIU

475. Mormugao Port Trust, Mormugao.
476. Chowgule & Co. (P) Ltd., Marmugao.
477. Goa Mineral Ore Exporters' Association, Panjim.
478. Indian National Trade Union Congress, Goa Branch, Vascodagama.
479. South Central Railway Employees' Sangh, Vascodagama.

HIMACHAL PRADESH

480. Labour Commissioner, Himachal Pradesh Administration, Simla.
481. Beas Sutlej Link Project, P.O. Sunder Nagar.
482. Cantonment, Board, Subathu.
483. Himachal Government Resin and Turpentine Factory, Nahan.
484. Himachal Government Transport, Simla.
485. Sunder Nagar Municipality, Sunder Nagar.
486. Municipal Employees' Union, Simla.
487. Indian National Trade Union Congress, Himachal Pradesh Branch, Simla.

PONDICHERRY

488. Labour Department, Pondicherry Administration, Pondicherry.

TRIPURA

489. Labour Department, Tripura Administration, Agartala.
490. Tripura Cha Mazdoor Union, Agartala.

APPENDIX IV(B)

LIST OF THE PARTIES WHO REPLIED TO THE SUPPLEMENTARY QUESTIONNAIRE ISSUED IN RESPECT OF WELFARE SCHEMES FOR AGRICULTURAL AND RURAL LABOUR

1. Labour Commissioner, Assam, Shillong.
2. Labour Commissioner, Bihar, Patna.
3. Labour Commissioner, Gujarat, Ahmedabad.
4. Director of Agriculture, Gujarat Ahmedabad.
5. Director of Agriculture, Jammu & Kashmir, Srinagar.
6. Labour Commissioner, Madhya Pradesh, Indore.
7. Director of Agriculture, Madhya Pradesh, Bhopal.
8. Labour Commissioner, Maharashtra, Bombay.
9. Labour Commissioner, Mysore, Bangalore.
10. Director of Agriculture, Mysore, Bangalore.
11. Director of Agriculture, Orissa, Bhubaneswar.
12. Labour Commissioner, Punjab, Chandigarh.
13. Director of Agriculture, Punjab, Chandigarh.
14. Labour Commissioner, Rajasthan, Jaipur.
15. Director of Agriculture, Tamil Nadu, Madras.
16. Labour Commissioner, Uttar Pradesh, Kanpur.
17. Director of Agriculture, Uttar Pradesh, Lucknow.
18. Director of Agriculture, West Bengal, Calcutta.
19. Labour Commissioner, Pondicherry Administration, Pondicherry.
20. Chief Labour Officer, Tripura Administration, Agartala.
21. All-India Manufacturers' Organisation, Bombay.
22. Employers' Federation of India, Bombay.
23. Indian National Trade Union Congress, Delhi.
24. Indian Rural Labour Union, New Delhi.
25. Maharashtra State Krishak Samaj, Jalgaon.
26. Bharat Sevak Samaj Construction Service, New Delhi.
27. Farmers' Forum, Punjab, Chandigarh.
28. Sri Walaiti Ram, Krishi Pandit, Ludhiana.
29. Farmers, Forum, Madras.
30. University of Roorkee, Roorkee.
31. Gujarat Vidyapith, Ahmedabad.
32. Tata Institute of Social Sciences, Bombay.
33. University of Bombay, Bombay.
34. Aligarh Muslim University, Aligarh.
35. Madurai University, Madurai.
36. Agra University, Agra.
37. Sardar Patel University, Vallabh Vidyanagar, District Kaira, (Gujarat).
38. Indian School of International Studies, New Delhi.
39. University of Udaipur, Udaipur.
40. Jadhavpur University, Calcutta.
41. Vikram University, Ujjain.
42. Central Coconut Research Station, Kayangulam, (Kerala).
43. Soil Conservation Research, Demonstration and Training Centre, Dehradun.
44. Central Coconut Research Station, Kasaragod (Kerala).
45. Soil Conservation Research, Demonstration and Training Centre, Bellary (Mysore).
46. Gandhi Smarak Nidhi, New Delhi.
47. Shree U. N. Dhebar, Ex-Chairman, Khadi and Village Industries Commission, Bombay.
48. Dr. S. Mishra, University of Lucknow, Lucknow.

APPENDIX IV (C)

LIST OF THE PARTIES WHO REPLIED TO THE CIRCULAR LETTER ON THE PROVI- SION OF WELFARE AMENITIES TO WORKERS IN PLANTATIONS

1. Labour Commissioner, Andhra Pradesh, Hyderabad.
2. Labour Commissioner Assam, Shillong.
3. Labour Commissioner, Bihar, Patna.
4. Labour Commissioner, Jammu & Kashmir, Srinagar.
5. Labour Commissioner, Kerala, Trivandrum.
6. Labour Commissioner, Mysore, Bangalore.
7. Chief Inspector of Plantations, Tamil Nadu, Madras.
8. Labour Commissioner, Uttar Pradesh, Kanpur.
9. Chief Inspector of Plantations, Uttar Pradesh, Kanpur.
10. Labour Commissioner, West Bengal, Calcutta.
11. Chief Inspector of Plantations, West Bengal, Calcutta.
12. Labour Commissioner, Delhi Administration, Delhi.
13. The Employers' Association of Rajasthan, Simla.
14. Labour Commissioner, Manipur, Imphal.
15. Labour Commissioner, Pondicherry Administration, Pondicherry.
16. United Planters Association of Southern India, Coonoor.
17. Indian Tea Association, Calcutta.
18. Assam Chah Karamchhari Sangha, Dibrugarh.
19. Cachar Cha Shramik Union, Silchar.
20. Indian Tea Employees' Union Silchar.
21. South Indian Plantations Workers' Union, Munnar (Kerala).
22. The Mysore State Plantation and General Labour Union, Chikmagalur.
23. West Bengal Chah Shramik Union, Jalpaiguri.
24. West Bengal Tea Employees' Association, Chalsa Distt. Jalpaiguri.
25. Tripura Cha Mazdoor Union, Agartala.



APPENDIX IV(D)

LIST OF THE PARTIES WHO REPLIED TO THE CIRCULAR LETTER ON SETTING UP OF INDUSTRY-WISE/REGIONAL WELFARE FUND

1. The Textile Commissioner, Bombay.
2. The Jute Commissioner, Calcutta.
3. Ministry of Mines and Metals, New Delhi.
4. All-India Manufacturers Organisation, Bombay.
5. Employers' Federation of India, Bombay.
6. The Indian Cotton Mills Federation, Bombay.
7. The Association of Electrical Undertakings, Western and Central India, Bombay.
8. Millowners' Association, Bombay.
9. Bombay Chamber of Commerce and Industry, Bombay.
10. Indian Engineering Association, Western Region, Bombay.
11. Cement Manufacturers' Association, Bombay.
12. The Associated Cement Companies Limited, Bombay.
13. The Employers' Association of Rajasthan, Jaipur.
14. The United Planters' Association of Southern India, Coonoor.
15. Bengal Glass Manufacturers' Association, Calcutta.
16. Indian Engineering Association, Calcutta.
17. Indian Jute Mills Association, Calcutta.
18. Indian Sugar Mills Association, Calcutta.
19. Indian Chemical Manufacturers' Association, Calcutta.
20. All-India Organisation of Industrial Employers, New Delhi.
21. Indian National Iron and Steel Workers' Federation, Burnpur (Burdwan), West Bengal.
22. All India Jute Textile Workers' Federation, Howrah.
23. Indian National Trade Union Congress, New Delhi.



APPENDIX IV(E)

LIST OF THE PARTIES WHO REPLIED TO COMMITTEE'S CIRCULAR LETTER ON WEL- FARE FACILITIES PROVIDED TO WORKERS EMPLOYED IN MUNICIPAL BODIES

1. Municipal Corporation of Hyderabad, Andhra Pradesh.
2. Guntur Municipality, Andhra Pradesh.
3. Municipal Council, Rajahmundry, Andhra Pradesh.
4. Siliguri Municipality, Assam.
5. Administrator, Mahuva Municipality, Gujarat.
6. Municipal Commissioner, Municipal Corporation, Surat, Gujarat.
7. Superintendent, Sir T. Hospital & Civil Surgeon, Bhavnagar, Gujarat.
8. Bhavnagar Municipality, Bhavnagar, Gujarat.
9. Bhuj Municipality (Kutch), Gujarat.
10. Government Hospital, Rajkot, Gujarat.
11. Rajkot Municipality, Rajkot, Gujarat.
12. Executive Officer, Municipal Committee, Hissar, Haryana.
13. Secretary, Municipal Committee, Sirsa, Haryana.
14. Administrator, Municipality, Gurgaon, Haryana.
15. Commissioner, Mavelikara Municipality, Mavelikara, Kerala.
16. Health Officer, Calicut Corporation, Kerala.
17. Municipal Commissioner, Kunnamkulam Municipality, Kerala.
18. The Commissioner, Municipal Council, Vaikom, Kerala.
19. The Commissioner, Municipal Council, Shertallai, Kerala.
20. Municipal Council, Tiruvella, Kerala.
21. Guruvayur Township Committee, Tirchur District, Kerala.
22. Municipal Council, Kottayam, Kerala.
23. Municipal Corporation, Bhopal, Madhya Pradesh.
24. Secretary, Municipal Corporation, Jabalpur, Madhya Pradesh.
25. Chief Municipal Officer, Municipal Council, Itarsi, Madhya Pradesh.
26. Municipal Council, Vidisha, Madhya Pradesh.
27. Chief Officer, Municipal Council, Gondia, Maharashtra.
28. Municipal Commissioner, Bombay, Maharashtra.
29. Vigilance-cum-Personnel Officer, Nagpur Municipal Corporation, Maharashtra.
30. Municipal Council, Bhandara, Maharashtra.
31. Municipal Council, Warora, Maharashtra.
32. Poona Municipality, Maharashtra.
33. Government of Nagaland, Kohima.
34. Executive Officer, Notified Area Council, Bhanjanagar, Orissa.
35. Executive Officer, Balangir Municipality, Orissa.
36. Executive Officer, Cuttack Municipality, Orissa.
37. President, Municipal Committee, Garhshankar, Punjab.
38. Assistant Secretary to the Government of Tamil Nadu, Madras.
39. President, Municipal Board Jhansi, Uttar Pradesh.
40. Municipal Board, Mathura, Uttar Pradesh.
41. District Magistrate, Nainital, Uttar Pradesh.
42. Gandhi Eye Hospital, Aligarh, Uttar Pradesh.
43. Municipal Committee, Moradabad, Uttar Pradesh.
44. Deputy Administrator, Nagar Mahapalika Allahabad, Uttar Pradesh.
45. Municipal Board, Meerut, Uttar Pradesh.
46. Nagar Mahapalika, Agra, Uttar Pradesh.
47. Municipal Board, Gorakhpur, Uttar Pradesh.
48. Chief Medical Officer, Sitapur Eye Hospital, Sitapur, Uttar Pradesh.
49. Burdwan Municipal Corporation, Burdwan, West Bengal.
50. Vice-Chairman, Balurghat Municipality, West Dinajpur, West Bengal.
51. Chairman, Suri Municipality, Birbhum, West Bengal.
52. Garulia Municipality, West Bengal.
53. Executive Officer, Imphal Municipality, Manipur.
54. Commissioner, Thirunallar Municipality, Pondicherry.
55. Navy Municipal Commissioner, Pondicherry.

APPENDIX IV (F)

**LIST OF PARTIES WHO REPLIED TO THE
CIRCULAR LETTER ON WELFARE FACILI-
TIES TO WORKERS EMPLOYED IN BEEDI
AND CIGAR INDUSTRY**

1. Commissioner of Labour, Government of Andhra Pradesh, Hyderabad.
2. Additional Labour Commissioner, Assam, Shillong.
3. Commissioner of Labour, Bihar, Patna.
4. Labour Commissioner, Haryana, Chandigarh.
5. Labour Commissioner, Kerala, Trivandrum.
6. Labour Commissioner, Madhya Pradesh, Indore.
7. Commissioner of Labour, Maharashtra, Bombay.
8. Commissioner of Labour, Mysore, Bangalore.
9. Labour Commissioner, Orissa, Bhubaneswar.
10. Commissioner of Labour, Tamil Nadu, Madras.
11. Labour Commissioner, Uttar Pradesh, Kanpur.
12. Deputy Labour Commissioner, West Bengal, Calcutta.
13. Deputy Labour Commissioner, Delhi Administration, Delhi.
14. Labour Commissioner, Goa, Panaji.
15. Under Secretary, Labour Department, Manipur Administration, Imphal.
16. Deputy Secretary, Government of Pondicherry, Labour Department, Pondicherry.
17. Secretary, Department of Labour, Tripura, Agartala.
18. Madhya Pradesh Organisation of Industries, Bhopal, Madhya Pradesh.
19. All-India Manufacturers' Organisation, Bombay, Maharashtra.
20. Employers' Federation of India, Bombay, Maharashtra.
21. D. Marcos Company Ltd., Bombay, Maharashtra.
22. The North Arcot District Bidi and Tobacco Merchants' Association, Vellore, Tamil Nadu.
23. All-India Organisation of Industrial Employers, New Delhi.
24. Indian National Trade Union Congress, Dhubri, Assam.
25. Sangamaner Akola Beedi Mazdoor Sabha, P.O. Sangamaner, District Ahmedabad.
26. Secretary, Bidi Kamgar Sangh, Sanakad, Madhya Pradesh.
27. Hind Mazdoor Sabha, Bombay, Maharashtra.
28. Imperial Tobacco Employee's Union, College House, Madras.



APPENDIX IV(G)

LIST OF PARTIES WHO REPLIED TO CIRCULAR LETTER ON THE PROVISION OF WELFARE FACILITIES TO THE WORKERS EMPLOYED IN SMALL SCALE AND COTTAGE INDUSTRIES

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| 1. Bureau of Economics and Statistics, Andhra Pradesh, Hyderabad. | 10. Bureau of Economics and Statistics, Orissa, Cuttack. |
| 2. Department of Economics and Statistics, Assam, Shillong. | 11. Director of Economics and Statistics, Rajasthan, Jaipur. |
| 3. Bureau of Economics and Statistics, Gujarat, Ahmedabad. | 12. Department of Statistics, Tamil Nadu, Madras. |
| 4. Economics and Statistical Adviser, Haryana, Chandigarh. | 13. Director of Economics Intelligence & Statistics, Uttar Pradesh, Lucknow. |
| 5. Directorate of Economics and Statistics, Jammu & Kashmir, Srinagar. | 14. State Statistical Bureau, West Bengal, Calcutta. |
| 6. Directorate of Economics and Statistics, Mysore, Bangalore. | 15. General Statistics Department, Goa, Daman & Diu Administration, Panaji. |
| 7. Bureau of Economics and Statistics, Maharashtra, Bombay. | 16. Director of Economics and Statistics, Himachal Pradesh, Simla. |
| 8. Bureau of Economics and Statistics, Mysore, Bangalore. | 17. Department of Statistics, Manipur, Imphal. |
| 9. Office of the Research Officer (Statistics), Nagaland, Kohima. | 18. Bureau of Statistics & Evaluation, Pondicherry Administration, Pondicherry. |



APPENDIX IV(H)

LIST OF PARTIES WHO REPLIED TO CIRCULAR LETTER ON WELFARE PROVISION UNDER VARIOUS LABOUR LAWS AND SETTING UP OF STUDY GROUPS

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| <p>I. Replies received from State Governments/ Union Territory Administrations which had set up Study Group/Sub-Committees for evaluation of implementations of Labour Laws :</p> <ol style="list-style-type: none">1. Andhra Pradesh.2. Assam3. Bihar4. Haryana5. Jammu & Kashmir6. Madhya Pradesh7. Orissa8. Rajasthan9. Uttar Pradesh10. Delhi Administration11. Pondicherry. | <p>II. Replies received from State Governments/ Union Territory Administrations which did not set up any Study Group/Sub-Committee.</p> <ol style="list-style-type: none">12. Gujarat13. Maharashtra14. Mysore15. Punjab16. Tamil Nadu17. West Bengal18. Andaman & Nicobar19. Goa, Daman & Diu20. Manipur21. Tripura. |
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APPENDIX IV(I)

**LIST OF THE PARTIES WHO REPLIED TO
THE CIRCULAR LETTER ON SETTING UP
OF WELFARE FUND IN BANKING
INDUSTRY**

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| 1. State Bank of Saurashtra, Bhavnagar, Gujarat. | 13. The State Bank of Patiala, Patiala, Punjab. |
| 2. Nedingadi Bank Ltd., Calicut, Kerala. | 14. State Bank of Bikaner & Jaipur, Jaipur, Rajasthan. |
| 3. State Bank of Travancore, Trivandrum, Kerala. | 15. The India Bank Ltd., Madras, Tamil Nadu. |
| 4. Krishna Ram Baldeo Bank Pvt., Gwalior, Madhya Pradesh. | 16. Banaras State Bank Ltd., Varanasi, Uttar Pradesh. |
| 5. The State Bank of India, Indore, Madhya Pradesh. | 17. United Bank of India Ltd., Calcutta, West Bengal. |
| 6. Central Bank of India, Bombay, Maharashtra. | 18. United Industrial Bank Ltd., Calcutta, West Bengal. |
| 7. The Bank of India Ltd., Bombay, Maharashtra. | 19. Indian Banks' Association, Bombay, Maharashtra. |
| 8. State Bank of India, Bombay, Maharashtra. | 20. All-India Bank Employees Federation, Kanpur, Uttar Pradesh. |
| 9. Reserve Bank of India (Central Office), Bombay, Maharashtra. | 21. State Bank of India Employees Association, Calcutta, West Bengal. |
| 10. Canara Bank Ltd., Bangalore, Mysore. | 22. All-India Bank Employees Association, Chandni Chowk, Delhi. |
| 11. The Bank of Mysore, Bangalore, Mysore. | |
| 12. Karnatika Bank Limited, Mangalore, Mysore. | |



APPENDIX IV (J)

LIST OF PARTIES WHO REPLIED TO CIRCULAR LETTER ON THE EXTENSION OF EMPLOYEES' STATE INSURANCE ACT AND EMPLOYEES PROVIDENT FUND ACT TO SHOPKEEPERS, TRADERS AND ARTISANS

1. Commissioner of Labour, Andhra Pradesh, Hyderabad.
2. Labour Commissioner, Assam, Shillong.
3. Under Secretary, Government of Bihar, Patna.
4. Commissioner of Labour, Government of Gujarat, Ahmedabad.
5. Labour Commissioner, Haryana, Chandigarh.
6. Commissioner of Labour, Jammu & Kashmir, Srinagar.
7. Labour Commissioner, Kerala, Trivandrum.
8. Labour Commissioner, Madhya Pradesh, Indore.
9. Commissioner of Labour, Maharashtra, Bombay.
10. Labour Commissioner, Mysore, Bangalore.
11. Labour Commissioner, Orissa, Bhubaneswar.
12. Deputy Secretary, Labour & Employment Department, Rajasthan, Jaipur.
13. Commissioner of Labour, Tamil Nadu, Madras.
14. Labour Commissioner, Uttar Pradesh, Kanpur.
15. Labour Commissioner, West Bengal, Calcutta.
16. Labour Commissioner, Delhi Administration, Delhi.
17. Joint Insurance Commissioner, Employees State Insurance Corporation, New Delhi.
18. Central Commissioner Employees' Provident Fund, New Delhi.
19. Labour Commissioner, Goa, Panaji.
20. Under Secretary, Manipur Administration, Imphal.
21. Deputy Secretary, Labour Department, Pondicherry Administration, Pondicherry.
22. Chief Labour Officer, Tripura Administration, Agartala.
23. Employees' Provident Fund Union, Uttar Pradesh Region, Kanpur.



APPENDIX IV (K)

LIST OF PARTIES WHO REPLIED TO THE CIRCULAR LETTER ON THE WORKING OF MOTOR TRANSPORT WORKERS' ACT, 1961, WITH PARTICULAR REFERENCE TO WEL- FARE FACILITIES AND AMENITIES PROVI- DED THERE-UNDER

1. State Transport Authority, Khairatabad, Hyderabad.
2. Commissioner of Labour, Bihar, Patna.
3. Gujarat State Road Transport Corpora-
tion, Gujarat, Ahmedabad.
4. Labour Commissioner, Haryana, Chandi-
garh.
5. Haryana Roadways, Ambala.
6. Labour Commissioner, Jammu & Kash-
mir, Srinagar.
7. Labour Commissioner, Kerala, Trivan-
drum.
8. Madhya Pradesh State Road Transport
Corporation, Bairagarh, Bhopal.
9. The Bombay Electric Supply & Transport
Undertaking, Bombay.
10. Chief Inspector, Motor Transport Wor-
kers Act, Maharashtra, Bombay.
11. Commissioner of Labour, Maharashtra,
Bombay.
12. Labour Commissioner, Punjab, Chandi-
garh.
13. Commissioner of Labour, Tamil Nadu,
Madras.
14. Labour Commissioner, Uttar Pradesh,
Kanpur.
15. Labour Commissioner, West Bengal,
Calcutta.
16. Himachal Pradesh Government Trans-
port, Simla.
17. Under Secretary, Manipur Administra-
tion, Finance & Transport Department,
Imphal.
18. Deputy Secretary, Labour Deptt., Pondi-
cherry Administration, Pondicherry.
19. Sainika Co-operative Motor Transport
Society, Chittoor, Andhra Pradesh.
20. Andhra Pradesh Motor Union Congress,
Hyderabad, Andhra Pradesh.
21. Road Transport Corporation, Patna,
Bihar.
22. All India General Transport Corporation
Ltd., Patna, Bihar.
23. Rohtak-Delhi Transport Pvt. Ltd., Roh-
tak, Haryana.
24. Surendra Transport & Engineering Co.
Pvt. Ltd., Kalka, Haryana.
25. Malabar Motor Transport Co-operative
Society Ltd., Calicut.
26. Madhya Pradesh Transport Co. (Pvt.)
Ltd., Raipur.
27. Associated Traders & Engineers (Pvt.)
Ltd., Nagpur, Maharashtra.
28. Silver Jubilee Motors Pvt., Ltd., Poona,
Maharashtra.
29. Transport Corporation of India Pvt. Ltd.,
Bombay, Maharashtra.
30. Central Karnataka Motor Service Ltd.,
Shimoga, Mysore.
31. United Roadways, Shimoga, Mysore.
32. Motor Transport Workers' Federation,
Jullundur, Punjab.
33. The Punjab Transport Co-op. Society,
Ltd., Amritsar, Punjab.
34. Madras Bangalore Transport Co. Madras,
Tamil Nadu.
35. Garhwal Motor Owners' Union Ltd.,
Kotdwar, Garhwal, Uttar Pradesh.
36. The Rampur State Transport Co-op.
Society Ltd., Rampur, Uttar Pradesh.
37. Federation of Bus Syndicate, 6, Dharam-
talla Street, Calcutta, West Bengal.
38. Bengal Bus Syndicate, 6, Dharamtalla
Street, Calcutta, West Bengal.
39. Jiban Krishna Ghosh, Prop. Bangaon
Motor Association, 24-Parganas, West
Bengal.
40. Inter-State Transport Agency, Calcutta,
West Bengal.
41. Capital Bus Service Pvt. Ltd., Asaf Ali
Road, New Delhi.
42. Associated Traders & Engineers Pvt.
Ltd., Asaf Ali Road, New Delhi.
43. Burma Sugnu Road Motor Owners Co-
operative Society Ltd., Imphal, Manipur.
44. Manipur Public Carriers Transport Co-
operative Association Ltd., Imphal,
Manipur.

45. Motor Drivers & Motor Workers Association, Ahmedabad, Gujarat.
46. State Transport Workers Union, Ahmedabad, Gujarat.
47. Kerala State Transport Drivers Union, Trivandrum, Kerala.
48. Madhya Pradesh State Road Transport Corporation, Bairagarh Bhopal, Madhya Pradesh.
49. Motor Transport Workers' Federation (Regd.), Jullundur, Punjab.
50. Tiruchy Cooperative Motor Transport Society for Ex-Servicemen Ltd., Tiruchirapalli, Tamil Nadu.
51. Uttar Pradesh Transport Employees Union, Agra, Uttar Pradesh.
52. Kadamtala Bus Workers Union, Howrah, West Bengal.
53. Calcutta State Transport Corporation, Calcutta, West Bengal.
54. Indian National Trade Union Congress, 17-Janpath, New Delhi.
55. Delhi Goods Transport Workers' Union (Regd.), Ajmeri Gate, Delhi.
56. Indian National Trade Union Congress, Distt. Motor Transport Workers' Union (Regd.), Ambala, Punjab.



APPENDIX IV (L)

LIST OF PARTIES WHO REPLIED TO THE CIRCULAR LETTER ON WELFARE MEASURES FOR PHYSICALLY HANDICAPPED AND DISABLED PERSONS

1. Rehabilitation Centre for Handicapped Children, Vishakapatnam.
2. Government High School for the Blind Malakpet, Hyderabad, Andhra Pradesh.
3. Cheshire Foundation Homes for the sick in India, Singhbhum, Bihar.
4. Sharada School for Mentally Retarded Children, Ahmedabad, Gujarat.
5. Home for Mentally Deficient Children, Rajkot, Gujarat.
6. School for Deaf Mutes, Ahmedabad, Gujarat.
7. Government Institute for the Blind, Panipat, Haryana.
8. Rotary Institute for Children in Need of Special Care, Trivandrum.
9. Deaf Mute Child School, Gwalior, Madhya Pradesh.
10. M. P. Welfare Association for the Blind, Indore.
11. The Blind Relief Association, Bombay.
12. Certified School for Mentally Deficient Children, Sirur, Dist. Poona, Maharashtra.
13. Employment and Placement Committee, The National Association for the Blind, Bombay.
14. Society for the Rehabilitation of the Crippled Children, Bombay.
15. Bhagini Sewa Mandir Kumarika Stree Mandal, Bombay.
16. Industrial Home for Blind Women, Bombay, Maharashtra.
17. All India Institute of Physical Medicine and Rehabilitation, Bombay, Maharashtra.
18. The Home for Mentally Deficient Children, Mankhurd, Bombay.
19. The N.S.D. Industrial Home for the Blind, Bombay.
20. Victoria Memorial School for the Blind, Trade Road, Bombay.
21. Dadar School for the Blind, Bombay.
22. Tata Institute of Social Sciences, Bombay.
23. School for the Deaf Boys and Girls, Gulbarga, Mysore.
24. Christian Medical College and Hospital, Ludhiana, Punjab.
25. Distt. Council for the Welfare of the Handicapped, Ferozepore.
26. All India Pingalwara Society, Amritsar.
27. School for the Blind and Deaf, Madras.
28. C.S.I. School for the Deaf, Mylapore, Tamil Nadu.
29. Department of Orthopaedic Surgery, Government General Hospital, Madras, Tamil Nadu.
30. St. Louis Institute for the Deaf & the Blind, Adyar, Tamil Nadu.
31. Care Home for Disabled Children, Trichur.
32. Netra Vihin Kalyan Sangh, Gorakhpur, Uttar Pradesh.
33. Sewa Nidhi Kidwai Apang Ashram, Saharanpur, Uttar Pradesh.
34. G.C.M. School for Mentally Retarded Children, Varanasi.
35. Government Deaf and Dumb School, Agra, Uttar Pradesh.
36. Government Deaf & Dumb School, Bareilly.
37. Calcutta Deaf and Dumb School, Calcutta.
38. Dudh Vihar, Anand Parbat, Delhi.
39. United Nations' Children Fund, (UNICEF), New Delhi.
40. Bharat Blind School, Shahdara, Delhi.
41. Institution for the Blind, New Delhi.
42. Model School for Mentally Deficient Children, Department of Social Welfare, Lajpat Nagar, New Delhi.
43. The Blind Relief Association, New Delhi.
44. Amrit Kaur Balvikas, New Delhi.
45. Government Lady Noyce School for the Deaf and Dumb, New Delhi.
46. Department of Social Welfare, Government of India, New Delhi.

APPENDIX IV (M)

LIST OF PARTIES WHO REPLIED TO CIRCULAR LETTER ON WELFARE FACILITIES TO THE WORKERS EMPLOYED IN SMALL-SCALE INDUSTRIES (UN-ORGANISED SECTOR)

1. Labour Commissioner, Government of Assam, Shillong.
2. Director of Industries, Government of Assam, Shillong.
3. Labour Commissioner, Government of Bihar, Patna.
4. Deputy Director of Industries, Government of Bihar, Patna.
5. Director of Industries, Government of Haryana Chandigarh.
6. Labour Commissioner Government of Haryana, Chandigarh.
7. Labour Commissioner, Government of Jammu & Kashmir, Srinagar.
8. Labour Commissioner, Government of Kerala, Trivandrum.
9. Director of Industries, Government of Kerala, Trivandrum.
10. Labour Commissioner, Government of Madhya Pradesh, Indore.
11. Director of Industries, Government of Madhya Pradesh, Bhopal.
12. Commissioner of Labour & Director of Employment, Government of Maharashtra, Bombay.
13. Director of Industries, Government of Maharashtra, Bombay.
14. Mysore Small Scale Industries Corporation Ltd., Government of Mysore, Bangalore.
15. Director of Industries, Government of Nagaland, Kohima.
16. Labour Commissioner, Government of Orissa, Bhubaneswar.
17. Director of Industries, Government of Orissa, Bhubaneswar.
18. Labour Commissioner, Government of Punjab, Chandigarh.
19. Director of Industries, Government of Punjab, Chandigarh.
20. Director of Industries & Civil Supplies, Government of Rajasthan, Jaipur.
21. Labour Commissioner, Government of Tamil Nadu, Madras.
22. Assistant Labour Commissioner (Welfare, Government of Uttar Pradesh Kanpur.
23. Labour Commissioner, Government of West Bengal, Calcutta.
24. Director of Industries, Government of West Bengal, Calcutta.
25. Labour Commissioner, Delhi Administration, Delhi.
26. Director of Industries, Delhi Administration, Delhi.
27. Labour Commissioner, Government of Daman and Diu, Panaji.
28. Directorate of Industries & Mines, Government of Goa, Daman and Diu, Panaji.
29. Deputy Secretary, Government of Pondicherry, Pondicherry.
30. Director of Industries, Pondicherry Administration, Pondicherry.
31. Chief Labour Officer, Government of Tripura, Agartala.
32. Director of Industries, Government of Tripura, Agartala.

APPENDIX IV(N)

LIST OF PARTIES WHO REPLIED TO CIRCULAR LETTER ON GRATUITY SCHEME IN DIFFERENT MANUFACTURING INDUSTRIES (UNITS)

1. Labour Commissioner, Andhra Pradesh, Hyderabad.
2. Labour Commissioner, Assam Shillong.
3. The Commissioner of Labour Gujarat, Ahmedabad.
4. The Labour Commissioner, Haryana, Chandigarh.
5. Labour Commissioner, Kerala, Trivandrum.
6. The Labour Commissioner, Mysore, Bangalore.
7. Labour Commissioner, Madhya Pradesh, Indore.
8. Labour Commissioner, Tamil Nadu, Madras.
9. Labour Commissioner, West Bengal, Calcutta.
10. Labour Commissioner, Delhi Administration, Delhi.
11. Director of Industries, Dadra & Nagar Haveli, Silvassa.
12. Under Secretary to the Government of Manipur, Imphal.
13. The Indian Steel Rolling Mills Ltd., (Works), Nagapatnam.
14. Caltex Oil Refining (India) Ltd., Visakhapatnam.
15. Nelimarla Jute Mills Co. Ltd., Nelli-marla, (Distt. Visakhapatnam).
16. The Andhra Cement Company Limited, Gandhinagar P.O. Vijayawada.
17. Reliance Firebrick & Pottery Co. Ltd., Distt. Dhanbad.
18. Sone Valley Portland Cement Co. Ltd., Japla (Palamau).
19. Kalyanpur Lime and Cement Works Ltd., P.O. Banjari, Distt. Shahbad, Bihar.
20. Bihar Chamber of Commerce, Patna, (Bihar).
21. The Belsund Sugar Company Limited, P.O. Righa, Distt. Muzaffarpur, Bihar.
22. Kaira District Cooperative Milk Producers' Union Ltd., Anand, Gujarat.
23. Alembic Chemical Works Co. Ltd., Baroda, Gujarat.
24. The Atul Products Ltd., Bulsar, Gujarat.
25. Shree Digvijay Cement Co. Ltd., Sikka (Via Jamnagar), Gujarat.
26. The Ahmedabad Millowners' Association, Ahmedabad.
27. Saurashtra Millowners' Association, Surendranagar.
28. The Federation of Gujarat Mills & Industries, Baroda.
29. Dalmia Dadri Cement Limited, Charkhi-Dadri, Haryana.
30. Indian Aluminium Co. Ltd., Alipuram, Alwaye, Kerala.
31. Peirce Leslie (India) Pvt. Ltd., Cochin-1, Kerala.
32. Travancore Cochin Chemicals Ltd., Udyogmandal, Alwaye, Kerala.
33. Harison & Crosfield Ltd., Quilon.
34. The Travancore Cements Limited, Kottayam, Kerala.
35. The Madhya Pradesh Textile Mills Association, Indore.
36. Bharat Chamber and Industries Limited Nagoda, Western Railway, Madhya Pradesh.
37. Ralliwolf Ltd., Agra Road, Mulund, Bombay.
38. Batliboi & Co. Pvt. Ltd., Forbes Street, Bombay.
39. Kamani Engineering Corporation Ltd., Ballard Estate, Bombay.
40. Sandvic Asia Ltd., Bombay Poona Road, Poona.
41. Mahendra Owen Ltd., Pimpri, Poona.
42. Special Steels Ltd., Borivli (East), Bombay.
43. Atlas Copco (India) Private Ltd., Bombay.
44. Industrial & Agricultural Engineering Company (Bombay) Private Ltd., Works, Bhandup, Bombay.
45. Cable Corporation of India Ltd., Borivli East, Bombay.
46. Krishna Steel Industries Private Ltd., Factory at Antop Hill, Wadala, Bombay-31.
47. Kirloskar Brothers Ltd., Udyog Bhawan, Tilak Road, Poona.
48. Kamani Metals & Alloys Ltd., Kurla North, Bombay.
49. Jayanand Khira & Co. Pvt. Ltd., Santa-cruz, Bombay.

50. Guest, Keen, Williams Ltd., Sankey Precision Pressings Division, Agra Road, Bhandup, Bombay.
51. Mazagaon Dock Ltd., Bombay.
52. Richardson & Cruddas Ltd., Byculia, Bombay-8.
53. Ruston & Hornsby (I) Ltd., Chinchwad, Poona-19.
54. Greaves Cotton & Co. Ltd., Bombay-1.
55. Voltas Ltd., Ballard Estate Bombay-1.
56. Mukand Iron & Steel Works Ltd., Kurla, Bombay-70.
57. The Metal Box Company of India Ltd., Worli, Bombay-18.
58. National Machinery Manufacturers Ltd., Kalwe, Thana.
59. Siemens India Ltd., Dr. Annie Besant Road, Bombay.
60. Philips India Ltd., Worli, Bombay-18.
61. Mahindra & Mahindra Ltd., Bombay.
62. The Indian Standard Metal Co., Ltd., Bombay.
63. Otis Elevator Co. (India), Ltd., Bombay.
64. Automobile Products of India Ltd. Bombay.
65. Hindustan Ferodo Ltd., Ghatkopar, Bombay-77.
66. Johnson & Johnson of India Ltd., Bombay-26.
67. Ciba of India Ltd., Bombay-20.
68. The National Rayon Corporation Ltd., Mohone, Kalyan.
69. Korest (India) Ltd., Bombay.
70. Colgate Palmolive (India) Pvt. Ltd., Bombay-1.
71. Swastic Oil Mills Ltd., Wadala, Bombay-31.
72. Pfizer Ltd., Backbay Reclm., Bombay-1.
73. The Dharamsi Morarji Chemical Co. Ltd., Ambernath, Thana.
74. Cyanamid India Ltd., Worli, Bombay-18.
75. The Anglo French Drug Co. (ESTN) Ltd., Bombay-34.
76. Abbott Laboratories (India) Pvt. Ltd., Bombay-1.
77. Asian Paints (India) Pvt. Ltd., Bombay.
78. Tata Chemicals Ltd., Bombay-1.
79. Burrough Wellcome and Company (India) Pvt. Ltd., Bombay-1.
80. Chemicals & Fibres of India Ltd., Thana.
81. German Remedies Private Ltd., Worli, Bombay-18.
82. The Tata Oil Mills Co. Ltd., Fort, Bombay-1.
83. Merck Sharp & Dohme of India Limited, Bombay-1.
84. Blundell Eomite Paints Limited, Thana.
85. Indian Dyestuff Industries Ltd., Kalyan (Distt. Thana).
86. Corn Products Co. (India) Pvt. Ltd., Bombay-1.
87. Synthetics & Chemicals Ltd. Bombay-20.
88. Sandoz (India) Ltd., Bombay-18.
89. The Britannia Biscuit Co. Ltd., Bombay-10.
90. The Vanaspati Manufacturers Association of India, Bombay.
91. Polson Limited Mazagaon, Bombay-10.
92. Hindustan Antibiotics Ltd., Pimpri, Poona-18.
93. Hindustan Lever Limited, Bombay-1.
94. Boots Pure Drug Co. (India) Ltd., Bombay.
95. Glaxo Laboratories (India) Ltd., Bombay-18.
96. Hoechst Pharmaceutical Ltd., Bombay-1.
97. Rallis India Limited, Bombay-1.
98. Shalimar Tar Products (1935) Ltd., Bombay-1.
99. Esso Standard Eastern, INC, Bombay-1.
100. Burmah Shell Oil Storage & Distributing Co. of India Ltd., Bombay-1.
101. Indian Oil Corporation Ltd., (Marketing Division), Bombay-25.
102. Caltex (India) Ltd., Bombay-1.
103. Burmah Shell Refineries Ltd., Bombay-71.
104. The Western India Match Co. Ltd., Bombay.
105. Asbestos Cement Limited, Bombay-80.
106. The Deccan Paper Mills Co. Ltd., Poona (Mundhawa).
107. Firestone Hyre & Rubber Co. of India Pvt. Ltd., Bombay.
108. Ceat Tyre of India Ltd., Bombay-78.
109. Indian Tyre & Rubber Co. (India) Pvt. Ltd., Bombay-26.
110. The Elphinstone Spg. & Wvg. Mills Co. Ltd., Bombay-26.
111. The Tata Mills Ltd., Bombay-14.
112. The Bombay Dyeing & Mfg. Co. Ltd., Bombay-1.
113. New Standard Engineering Co. Ltd., Bombay.
114. The Millowners' Association, Bombay-1.

115. The Central India Spinning, Weaving & Manufacturing, Company Limited, The Empress Mills, Nagpur.
116. Shree Ram Mills Limited, Bombay-13.
117. The Mysore Iron & Steel Ltd., Bhadravati, Mysore.
118. Motor Industries Co. Ltd., Bangalore-1.
119. The Mysore Chamber of Commerce, Bangalore-9.
120. The Bangalore Woollen, Cotton & Silk Mills Company Limited, Bangalore-23.
121. Aluminium Industries, Hirakud, Orissa.
122. Orissa Cement Limited, Rajgangpur (Sundergarh Dist.) Orissa.
123. Orient Paper Mills, Brajarajnagar, Orissa.
124. Jagajit Cotton Textile Mills Ltd., Phagwara.
125. The Jaipur Udyog Ltd., Sahunagar, Swaimadhopur, Rajasthan.
126. The Jaipur Spinning & Weaving Mills Limited, Jaipur-6.
127. India Pistons Ltd., Sembiam, Madras-11.
128. Carborundum Universal Ltd., Tiruyottiyur, Madras-19.
129. Mettur Industries Ltd., Madras-1.
130. The English Electric Co. of India Ltd., Madras.
131. Reptakos, Brett & Co. Pvt. Ltd., Madras-32.
132. Shaw Wallace & Co. Ltd., Madras.
133. Dalmia Cement (Bharat) Ltd., Dalmiapuram Tiruchirapalli Distt., Tamilnadu.
134. The India Cement Limited, Madras-2.
135. The Southern India Millowners' Association, Coimbatore, (Tamil Nadu).
136. Madura Mills Company Limited, Madurai, Ambasamudram and Tuticorin, (Tamil Nadu).
137. M. M. Rubber Co. Pvt. Ltd., Madras-6.
138. Indian Engineering Association, Calcutta, West Bengal.
139. Brooke Bond India Limited, Calcutta-16.
140. I.C.I. (India) Ltd., Calcutta-16.
141. Union Carbide India Ltd., Calcutta-16.
142. The Kinnison Jute Mills Co. Ltd., P.O. Titaghar, 24, Parganas.
143. Bengal Potteries Limited, Calcutta-15.
144. Union Jute Co. Ltd., Calcutta-15.
145. The Auckland Jute Co. Ltd., P. O. Jagatdal, 24-Parganas.
146. The North Brook Jute Co. Ltd., West Bengal.
147. The Dalhousie Jute Co. Ltd., Distt. Hooghly, West Bengal.
148. Titagarh Paper Mills, Co. Ltd., Calcutta.
149. The Dunlop Rubber Co. (India) Ltd. Calcutta Branch.
150. Bengal Millowners Association, Calcutta.
151. Indian Non-Ferrous Metals Manufacturers' Association, Calcutta-1.
152. The Associated Cement Co. Ltd.
153. Kumardhubi Fireclay & Silica Works Ltd.
154. The Swatantra Bharat Mills, Najafgarh Road, New Delhi.
155. All India Organisation of Industrial Employers, Federation House, New Delhi.

APPENDIX IV(O)

**LIST OF THE PARTIES WHO REPLIED TO
THE CIRCULAR LETTER ON WELFARE
FACILITIES PROVIDED TO FISHERMEN**

1. Director of Fisheries, Bihar, Patna.
2. Director of Fisheries, Gujarat, Ahmedabad.
3. Deputy Director and Head of Fisheries. Department, Harayana, Chandigarh.
4. Director of Fisheries, Jammu & Kashmir, Srinagar.
5. Director of Fisheries, Kerala, Trivandrum.
6. Director of Fisheries, Madhya Pradesh, Bhopal.
7. Director of Fisheries, Maharashtra, Bombay.
8. Deputy Director of Fisheries, Rajasthan, Jaipur.
9. Director of Fisheries, Tamil Nadu, Madras.
10. Director of Fisheries, Uttar Pradesh, Lucknow.
11. Director of Fisheries, West Bengal, Calcutta.
12. Director of Fisheries, Goa, Daman and Diu, Panaji.
13. Director of Fisheries, Himachal Pradesh, Bilaspur.
14. Chief Fisheries Officer, Manipur, Administration, Imphal.
15. Director of Fisheries, Tripura, Administration, Agartala.



APPENDIX IV(P)

LIST OF PARTIES WHO REPLIED TO CIRCULAR LETTER ON CONSTRUCTION OF ALL-INDIA CENTRAL INSPECTORATE SERVICES

1. Secretary, Home (Labour) Department, Government of Andhra Pradesh, Hyderabad.
2. Under Secretary, Department of Labour & Employment, Government of Bihar, Patna.
3. Secretary, Labour and Employment Department, Government of Haryana, Chandigarh.
4. Secretary, Department of Tourism (Labour), Government of Jammu & Kashmir, Srinagar.
5. Secretary, Labour and Social Welfare Department, Government of Kerala, Trivandrum.
6. Secretary, Industries & Labour Department, Government of Maharashtra, Bombay.
7. Secretary, Department of Food, Civil Supplies & Labour, Government of Mysore, Bangalore.
8. Under Secretary, Home Department, Government of Nagaland, Kohima,
9. Secretary, Labour Department Government of Punjab, Chandigarh.
10. Additional Secretary, Department of Industries, Labour & Housing, Government of Tamil Nadu, Madras.
11. Secretary, Labour Department, Government of Uttar Pradesh, Lucknow.
12. Secretary, Labour Department, Government of West Bengal, Calcutta.
13. Chief Commissioner, Labour Department, Andaman & Nicobar Administration, Port Blair.
14. Home Secretary, Chandigarh Administration, Chandigarh.
15. Secretary to the Administrator, Dadra & Nagar Haveli, Silvassa.
16. Under Secretary, Labour Department, Manipur, Administration, Imphal.
17. Deputy Secretary, Labour Department, Pondichery, Administration, Pondichery.
18. Secretary, Department of Labour, Tripura Administration, Agartala.



APPENDIX IV(Q)

**LIST OF PARTIES WHO REPLIED TO THE
CIRCULAR LETTER ON THE PROVISION OF
WELFARE AMENITIES TO WORKERS EM-
PLOYED IN MINOR MINERALS**

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| 1. Labour Commissioner, Andhra Pradesh, Hyderabad. | 10. Labour Commissioner, Rajasthan, Jaipur. |
| 2. Labour Commissioner, Assam, Shilong. | 11. Director of Industries and Commerce, Tamil Nadu, Madras. |
| 3. Labour Commissioner, Haryana, Chandigarh. | 12. Labour Commissioner, Uttar Pradesh, Kanpur. |
| 4. Labour Commissioner, Jammu & Kashmir, Srinagar. | 13. Labour Commissioner, West Bengal, Calcutta. |
| 5. Director, Geology and Mining, Madhya Pradesh, Raipur. | 14. Labour Commissioner, Andaman and Nicobar Administration, Port Blair. |
| 6. Labour Commissioner, Maharashtra, Bombay. | 15. Labour Commissioner, Chandigarh Administration, Chandigarh. |
| 7. Vice-Chairman, Iron-Ore Mines Labour Welfare Fund Advisory Committee for Mysore, Bangalore. | 16. Labour Commissioner, Delhi Administration, Delhi. |
| 8. Labour Commissioner, Orissa, Bhubaneswar. | 17. Labour Commissioner, Goa, Daman & Diu Administration, Panaji. |
| 9. Labour Commissioner, Punjab, Chandigarh. | 18. Deputy Secretary to Government, Pondicherry Administration, Pondicherry. |
| | 19. Chief Labour Officer, Tripura Administration, Agartala. |



APPENDIX IV (R)

LIST OF PARTIES WHO REPLIED TO CIRCULAR LETTER ON BREAK-UP OF EXPENDITURE ON WELFARE

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| 1. India Government Mint, Saifabad, Hyderabad. | 31. The Mysore Iron & Steel Ltd., Bhadravati. |
| 2. Steels-worth (P) Ltd., Steelnagar, Tinsukia. | 32. Manganese Ore (India) Ltd., Nagpur. |
| 3. Bokaro Steel Ltd., Bokaro Steel City, Distt. Hazaribagh. | 33. Hindustan Antibiotics Ltd., Poona. |
| 4. High Tension Insulator Factory, Ranchi. | 34. The Fertilizer Corporation of India Ltd., Trombay Unit, Bombay. |
| 5. The Tinsplate Company of India Ltd., Golmuri, Distt. Singhbhum. | 35. Kirloskar Oil Engines Ltd., Poona. |
| 6. Lohat Sugar Works, P.O. Lohat, Distt. Darbhanga. | 36. Automobile Products of India Ltd., Bombay. |
| 7. Saurashtra Chemicals, Porbandar. | 37. The Swadeshi Mills Co. Ltd., Madras. |
| 8. Alembic Chemical Works Co., Ltd., Baroda. | 38. Roche Products Ltd., Bombay. |
| 9. Hissar Textile Mills, Hissar. | 39. Cooper Engineering Ltd., Poona. |
| 10. Panipat Co-operative Sugar Mills Ltd., Panipat. | 40. Mulchandani Electrical & Radio Industries Ltd., Bombay. |
| 11. The Fertilizers and Chemicals Travancore Ltd., Udyogmandal. | 41. Century Chemicals, Bombay. |
| 12. Rubber Board, Kottayam. | 42. National Peroxide Ltd., Bombay. |
| 13. Hindustan Insecticides Ltd., Udyogmandal, P.O. Alwaye. | 43. Swastik Oil Mills Ltd., Bombay. |
| 14. Travancore Titanium Products Ltd., Trivandrum. | 44. The Bombay Dyeing & Manufacturing Co. Ltd., Bombay. |
| 15. The Aluminium Industries Ltd., Kundara. | 45. The Digvijay Spinning & Weaving Co. Ltd., Bombay. |
| 16. The Western India Cotton Ltd., P.O. Papinisseri, Distt. Cannanore. | 46. The Central India Spinning, Weaving & Manufacturing Co. Ltd., 'The Empress Mills', Nagpur. |
| 17. Diamond Mining Project, Panna. | 47. The Standard Mills Co. Ltd., Sevree, Bombay. |
| 18. Security Paper Mills, Hoshangabad. | 48. The Imperial Tobacco Co. of India Ltd., Bombay. |
| 19. Heavy Electricals (India) Ltd., Bhopal. | 49. The Mogul Line Ltd., Bombay. |
| 20. The Kalyanmal Mills Ltd., Indore. | 50. The Hindustan Spinning & Weaving Mills Co. Ltd., Bombay. |
| 21. Nandlal Bhandari Mills Ltd., Indore. | 51. The Coorla Spinning & Weaving Co. Ltd., Kurla, Bombay. |
| 22. Shree Sajjan Mills Ltd., Ratlam. | 52. Orissa Textile Mills Ltd., Chowdwar, Cuttack. |
| 23. The Indore Malwa United Mills Ltd., Indore. | 53. The Fertilizer Corporation of India Ltd., Naya-Nangal. |
| 24. Indian Telephone Industries Ltd., Bangalore. | 54. Hindustan Zinc Ltd., Udaipur. |
| 25. Bharat Electronics Ltd., Bangalore. | 55. Oldham & Sons (India) Ltd., Madras. |
| 26. Hindustan Aeronautics Ltd., Bangalore. | 56. Asher Textile Ltd., Gandhinagar, P.O. Tirupur. |
| 27. Bharat Earth Movers Ltd., Bangalore. | 57. The Lakshmi Mills Co. Ltd., Coimbatore. |
| 28. Motor Industries Co. Ltd., Bangalore. | 58. Thriumagal Mills Ltd., Gudiyattam. |
| 29. The Bangalore Woollen, Cotton & Silk Mills, Ltd., Bangalore. | 59. Advance Glass Works, Ferozabad. |
| 30. The Imperial Tobacco Co. of India Ltd., Bangalore. | 60. Modi Spinning & Weaving Mills Co., Ltd., Modinagar. |

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|---|--|
| 61. Gobind Sugar Mills Ltd., Distt. Kheri. | 66. The Imperial Tobacco Co. of India Ltd., Calcutta. |
| 62. The Imperial Tobacco Co. of India Ltd., Saharanpur. | 67. Hindustan Housing Factory Ltd., Jangpura, New Delhi. |
| 63. Damodar Valley Corporation, Alipore, Calcutta. | 68. Hindustan Shipyard Ltd., Transport Bhavan, Parliament Street, New Delhi. |
| 64. British India Electrical Construction Co. Ltd., Calcutta. | 69. Indian Oil Corporation Ltd., Bahadur Shah Zafar Marg, New Delhi. |
| 65. The Aluminium Manufacturing Co. Private Ltd., Calcutta. | 70. Indian Airlines, New Delhi. |
| | 71. Mormugao Port Trust, Mormugao. |



APPENDIX IV(S)

LIST OF PARTIES WHO REPLIED TO THE CIRCULAR LETTER ON YOGA AND NATURE CURE

1. Nature Cure Hospital, Hyderabad, Andhra Pradesh.
2. Yoga Prakruti Health Centre, Vijayawada, Andhra Pradesh.
3. Shivananda Math (Umachal Yogashram), Gauhati, Assam.
4. Prakritik Chikitsalaya Kendra, Jasidih, Bihar.
5. Gandhi Smarak Nidhi, Patti Kalyana, Distt. Karnal, Haryana.
6. Director, Department of Yoga Therapy, Yoga Vidya Sangham, Trivandrum, Kerala.
7. Yogic Training Centre, Trivandrum, Kerala.
8. Shree Swarg Mandir Trust Board, Indore, Madhya Pradesh.
9. The Yoga Institute, Bombay, Maharashtra.
10. Kaivalyadhama, S.M.Y.M. Samiti, Lonavala, Maharashtra.
11. Kaivalyadhama Ishwardas Chunilal Yogic Health Centre, Bombay, Maharashtra.
12. Nisargopachar Ashram (Nature Cure Ashram), Poona, Maharashtra.
13. The Secretary, Yogasana Dekapayirchi Salai, Paramakudi, Tamil Nadu.
14. Athma Yoga Jnana Sabha, Madras, Tamil Nadu.
15. Dr. Khushi Ram 'Dilkash' Arogya Niketan, Lucknow, Uttar Pradesh.
16. Divine Life Society, Rishikesh, Uttar Pradesh.
17. Bharatiya Prakritik Vidyapith and Hospital, Prakritik Niketan, Bishnupur, Calcutta, West Bengal.
18. Yoga and Health Training Centre, Government of India, Chandigarh.
19. Dr. G. S. Chhina, All India Institute of Medical Sciences, Department of Physiology, New Delhi.
20. Ministry of Education, New Delhi.
21. Delhi Cloth Mills, Delhi.
22. Hakim Shiam Lal Goel, The Delhi Naturopathic Charitable Hospital, Delhi.
23. Dr. Jainarayan, All India Nature Cure Federation, New Delhi.
24. Shri Gulzarilal, Lilavati Bhargava Charitable Trust, Delhi.



APPENDIX V(A)

STATEMENT SHOWING OBSERVATION VISITS MADE BY THE COMMITTEE ON LABOUR WELFARE DURING ITS TOURS TO VARIOUS STATES AND UNION TERRITORIES FROM OCTOBER, 1967 TO OCTOBER, 1968

Sl. No.	State/Union Territories	Date	Name of Establishment/Labour Welfare Centre visited	Remark
1	2	3	4	5
1	Punjab	26-10-67	(1) Fertilizer Corporation of India (Nangal Unit) Naya Nangal.	Discussion held
2	Haryana	28-10-67	(2) Bhupendra Cement Factory, Associated Cement Co. Surajpur.	Discussion held
			(3) Hindustan Machine Tools Ltd., Pinjore.	Discussion held
3	Himachal Pradesh	29-10-67	(4) Mohan Meakin Breweries Ltd., Solan.	Discussion held
4	Andhra Pradesh	21-11-67	(5) Labour Welfare Centre Murshidabad, Hyderabad.	Discussion held
			(6) Indian Detonators Ltd., Kukatpalli, Hyderabad.	Discussion held
5	Tamil Nadu.	24-11-67	(7) Integral Coach Factory Perambur, Madras.	Discussion held
			(8) Southern Railway, Perambur Workshop, Madras.	Discussion held
			(9) Thiru-Vi-ka Nagar, Housing Colony, Madras.	Discussion held
		25-11-67	(10) Iyerpadi Tea Estate, Anamalai	Discussion held
			(11) The Bombay Burma Trading Corporation Ltd., Mudis Garden Hospital, Anamalai.	Discussion held
6	Kerala	26-11-67	(12) Fertilizers & Chemicals Travancore Ltd., Udogmandal Alwaye.	Discussion held
			(13) Hindustan Insecticides Ltd., Udyogmandal, Alwaye.	
			(14) Premier Tyre Co. Ltd. Alwaye	
			(15) Cochin Dock & Port Trust, Cochin Port, Cochin.	
			(16) The Kerala Fisheries Corporation Ltd., Neendakara, Quilon.	
7	Bihar	13-12-67	(17) Multipurpose Institute Digwadih, Dhanbad.	Discussion held
			(18) Digwadih Colliery, Digwadih	
			(19) Chasnala Colliery Housing Colony, Chasnala, Distt. Dhanbad.	
			(20) Dhanbad District Coal Mines Workers Co-operative House Building Society, Society, Dhanbad.	Evidence tendered
			(21) Fertilizer Corporation of India, Sindri	
		14-12-69	(22) Central Hospital, Dhanbad	Discussion held
			(23) Central Cooperative Stores, Bhuli Township.	
			(24) Bokaro Steel Ltd., Bokaro Steel City.	Evidence tendered
			(25) National Coal Development Corporation, Ranchi.	
		15-12-67	(26) Heavy Engineering Corporation, Ranchi.	Evidence tendered
			(27) Tribal Institute, Ranchi.	

1	2	3	4	5
7	Bihar— <i>contd.</i>	16-12-67	(28) Tata Iron and Steel Co. Ltd., Jamshedpur. (29) Tata Electric & Locomotive Co. Ltd., Jamshedpur. (30) St. Xavier's Labour Institute, Jamshedpur.	Evidence tendered
		21-12-67	(31) Karanjia White Clay Mines Karanjia, Distt. Singhbhum, Via Chaibasa.	Evidence tendered
8	Orissa	17-12-67	(32) Hindustan Steel Ltd., Rourkela Plant, Rourkela.	Evidence tendered
		18-12-67	(33) Indian Aluminium Ltd., Hirakud (34) National Coal Development Corporation, Dera Colliery, Talcher. (35) Orissa Textile Mills Ltd., Chowdwar. (36) Titagarh Paper Mills Ltd., Cuttack	Evidence tendered
		21-12-67	(37) Keonjhar Forests, Keonjhar	Evidence tendered
9	Goa	15-1-68	(38) Pale Mines of Chowgule and Company, Panjim.	Discussion held.
		16-1-68	(39) Marmugao Port, Vas-co-de-Gama	Evidence tendered
10	Mysore	17-1-68	(40) Thipnabally Coffee Estate, Chikmagalur. (41) Kothan Khan Estate, Kaimara, Kasba Dobli Distt : Chikmagalur. (42) Hassan Coffee Curing Works (Pvt.) Ltd., Hassan.	Discussion held
		18-1-68	(43) Government Silk Factory, Mysore (44) Central Sericulture Research & Training Institute, Mysore. (45) Oriental Industries Chanuapatra, Mysore.	Evidence tendered.
		19-1-68	(46) Hindustan Machine Tools Bangalore (47) Indian Telephone Industries, Bangalore.	Discussion held.
		20-1-68	(48) Kolar Gold Fields, R.O. Oorgaum, Mysore. (49) Hindustan Aeronautics Ltd., Bangalore.	Discussion held.
11	Maharashtra	22-1-68	(50) Labour Welfare Centre, Bombay	Discussion held
		23-1-68	(51) Siemens Factory, Worli, Bombay. (52) Century Mills, Worli, Bombay (53) Worker's Stadium, T.P. Road, Bombay. (54) Phoenix Mill, Bombay (55) Naigaon Labour Welfare Centre, Bombay.	Discussion held
			(56) Central Labour Institute, Sion, Bombay.	Evidence tendered
		24-1-68	(57) Industrial Housing Colony, Ghatkopar (Pant Nagar), Bombay. (58) Mahatma Gandhi Memorial Hospital (E.S.I.S.) Bombay. (59) Bombay Labour Institute, Parel, Bombay. (60) Godrej and Boyce Mfg. Co. (Pvt.) Ltd., Vikhroli, Bombay.	Discussion held.
12	Rajasthan	4-3-68	(61) Government Agricultural Farm, Sunatgarh.	Evidence tender
		5-3-68	(62) Labour Welfare Centre, (Department of Labour), Jaipur. (63) Workers' Housing Colony Jaipur. (64) National Instrument Industries Ltd., Jaipur.	Discussion held.
		6-3-68	(65) Poddar Textile Mills, Jaipur.	Discussion held.

1	2	3	4	5
12	Rajasthan— <i>contd.</i>	7-3-68	(66) Hindustan Salts Ltd., Sambharlake (67) Makrana Common Facility Cooperative Society Ltd., Makrana. (68) Rajasthan Salt Sources Cooperative Society Ltd., Sambharlake. (69) Nata Marble Industries, Makrana. (70) Mool Chand Ram Chand Nata, Makrana. (71) Din Mohd. Marble Quarry, Makrana (72) Mewar Textile Mills' Welfare Centre, Bhilwara. (73) Danta Mica Mines, Hunas, Bhilwara. (74) Mica Mines Welfare Centre, Bhilwara (75) Mica Mines Welfare Fund, Hospital, Gangapur, Bhilwara. (76) Hindustan Zinc Ltd., Zinc Smelter Unit, Udaipur.	Evidence tendered. Discussion held. Discussion held
		9-3-68	(77) Hindustan Zinc Ltd., Zawar Mines, District, Udaipur	Evidence tendered.
13	Gujarat	6-4-68	(78) Ahmedabad Tata Advance Mills, Ahmedabad. (79) Gujarat Labour Welfare Centre, Ahmedabad.	Discussion held.
		7-4-68	(80) Patel Nowji Kanji and Bros., Rajkot (81) Rajkot Milk Conservation Scheme, Rajkot. (82) Phool Chhap Press, Rajkot.	Evidence tendered. Discussion held.
		8-4-68	(83) Digvijay Cement Company, Jamnagar (84) I.N.S. Balsura, Jamnagar (85) Associated Cement Co., Dwarka Cement Works, Dwarka.	Evidence tendered.
		9-4-68	(86) Tata Chemicals, Mithapur (87) Saurashtra Chemicals, Porbandar (88) Porbandar Port, Porbandar. (89) Gujarat Fisheries, Central Cooperative Ltd., Porbandar. (90) Gir Forest, Sasan (91) Indian Rayon, Veraval	Evidence tendered. Discussion held.
14	Assam	26-4-68	(92) Indian Oil Corporation, Refineries Division, Noonmati Refineries, Gauhati.	Evidence tendered.
		27-4-68	(93) Stocklingta Tea Estate, Jorhat (94) Ross Institute, Jorhat (95) The Dessai and Parbutia Tea Co. Ltd., Duklinga Tea Estate, Jorhat.	Evidence tendered. Discussion held.
		28-4-68	(96) Darrung Tea Estate, Tezpur (97) Benjuli Tea Estate, Tezpur (98) Kemangbari Foothills, District Tezpur.	Discussion held.
15	West Bengal	11-5-68	(99) Employees State Insurance Hospital, Sealdah. (100) Training Institute cum Central Library and Model Labour Welfare Centre, Maniktala, Calcutta.	Evidence tendered.
		2-5-68	(101) Keshoram Cotton Mills, Calcutta (102) Bata Shoe Co. (Pvt.) Ltd., 24 Parganas Batanagar. (103) Birla Jute Manufacturing Co. Ltd., 24-Parganas. (104) Indian Linoleum Ltd., 24-Parganas. (105) Model Labour Welfare Centre, Birlapur, 24-Parganas.	Discussion held.

1	2	3	4	5
16	Uttar Pradesh	2-6-68 (106) Arkedia Tea Estate, Dehradun 3-6-68 (107) Sugar Mill Workers Holiday Home, Mussoorie. 4-6-68 (108) National Social Welfare Centre for the Blind, Dehradun. (109) Indian Drugs & Pharmaceuticals Ltd., Antibiotics Plant, Rishikesh. (110) Oil and Natural Gas Commission Tel Bhawan, Dehradun. (111) Bharat Heavy Electricals, Hardwar 5-6-68 (112) Union Carbide Ltd., (Eveready Factory), Lucknow. (113) Labour Welfare Centre, Lucknow. 7-6-68 (114) Hindustan Aeronautics Ltd., Kanpur (115) S.P. Singh Engineering Works, Kanpur (116) Cawnpore Woollen Mills, (Branch of the British India Corporation), Kanpur. (117) Juggi Lal Kamlapat Singhania Mills Ltd., Kanpur. (118) Central Government Welfare Centre, Shastri Nagar, Kanpur. (119) Labour Welfare Centre, Shastri Nagar, Kanpur. (120) Employees' State Insurance Corporation T.B. Clinic, Raipurva, Kanpur. (121) Labour Welfare Centre, Benajhabar. 8-6-68 (122) State Trading Corporation (Footwear), Agra. (123) Welfare Club, Agra (124) Agra Chamra Kala Kendra, Agra (125) Advance Glass Workers, Ferozabad (126) Asija Bangale Works, Ferozabad. 9-6-68 (127) Labour Welfare Centre, Agra (128) Balkeshwar Colony and Industrial Labour Colony, Agra.		Discussion held. Evidence tendered. Discussion held. Evidence tendered. Discussion held. Evidence tendered.
17	Madhya Pradesh	26-6-68 (129) Rashtriya Mill Mazdoor Sangh, Shram Shivir, Indore. (130) Mahila Kendra Workers Institute, Indore. (131) Shram Kalyan Kendra, Nandanagar, Indore. (132) Health Centre and maternity Ward (State Labour Deptt.,) Nandanagar, Indore. (133) Employees State Insurance Hospital, Nandanagar, Indore. (134) Nandlal Bhandari Mills and Maternity Home. 29-6-68 (135) Heavy Electricals (India) Ltd., Bhopal (136) Welfare Centre, Heavy Electrical Ltd., Habibganj, Bhopal. 30-6-68 (137) Gun Carriage Factory, Jabalpur (138) Inspectorate of Armaments and Gauges, Jabalpur. (139) Central Ordnance Depot, Jabalpur 1-7-68 (140) Harvey Stone Lime Co. and Lime Kiln, Katni. (141) S. K. Kahnson & Co., Lime Kiln, Mahagaon. (142) S. N. Sunderson & Co. Quarry & Kiln, Mahagaon. (143) Mahagaon Lime Stone Quarries and Kilns, Mahagaon. (144) Asbestos Cement Co. Kymore. (145) Associated Cement Company Kymore Cement Works, Kymore.—		Discussion held. Discussion held. Evidence tendered. Discussion held.

1	2	3	4	5
17	Madhya Pradesh— <i>contd.</i>	2-7-68	(146) Satna Cement Sorks, Satna (147) Sangmarria Lime Stone Quarry, Satna. (148) Diamond Mining Project, Panna.	} Discussion held.
18	Union Territory of Delhi and surrounding areas.	16-9-68	(149) Hindustan Insecticides, Delhi. (150) Hindustan Housing Factory, Delhi. (151) Badli Rural Industrial Area, Alipur Development Block, Delhi. (152) Okhla Industrial Estate, Okhla (153) Karampura Hosuing Colony 17-9-68 (154) Mohan Meakin Breweries, Mohan Nagar, Ghaziabad. (155) Modi Industries, Modi-Nagar.	
19	Jammu & Kashmir	12-10-68	(156) Government Silk Factory, Srinagar (157) Sericulture Institute, Srinagar 17-10-68 (158) Carpet Manufacturing Factory, Srinagar.	



APPENDIX V(B)
OBSERVATION VISITS PAND BY THE
CHAIRMAN TO VARIOUS ESTABLISHMENTS

Sl. No.	Places	Date	Establishment visited
1	Bombay	1-2-69	1. Kaivalyadham Ishwar Dass Chunni Lal Yogic Health Centre, Bombay. 2. Yoga Institute, Santa Cruz, Bombay.
2	Poona	3-2-69	3. Nisar-gopachar Ashram (Nature Cure Ashram) Urulikan- chan, Poona. 4. Kaivalyadham Sreeman Madhav Yoga Mandir Samiti, Scientific Research Department, Yogic Hospital Lonavala (Poona).
3	Jasidih	25-2-69	5. Prakritik Chikitsalaya Kendra, Jasidih (Bihar) 6. Nature Cure Institute run by Shri Mahabir Prasad Poddar.



APPENDIX V(C)
OBSERVATION VISITS PAID BY THE
CHAIRMAN AND MEMBER SECRETARY
TOGETHER TO VARIOUS ESTABLISHMENTS

Sl. No.	Place	Date	Establishment visited
1	Amritsar	11-12-68	1. S. S. Woollen Textile Mills, Islamabad, Amritsar.
2	Yamunanagar	13-12-68	2. H. K. Engineering Works, Yamunanagar. 3. Vartuman Engineering, Pvt. Ltd., Yamunanagar. 4. Yamuna Auto Traders, Yamunanagar. 5. Samsher Farm, Dadupur.
3	Patti Kalyana	16-3-69	6. Gandhi Smarak Nidhi, Punjab, Patti Kalyana, Karnal.



APPENDIX V(D)

OBSERVATION VISITS PAID BY THE MEMBER SECRETARY TO VARIOUS ESTABLISHMENTS

Sl. No.	Place	Date	Establishment visited.
1	Hyderabad	17-12-68 & 18-12-68	1. Vancen Pvt. Ltd., Industrial Estate, Sanat Nagar, Hyderabad. 2. U-Foam Pvt. Ltd.
2	Kottayam	21-12-68 & 22-12-68	3. Rubber Plantations of Trivandrum Rubber & Tea Co. Ltd. 4. Mundakayam Medical Trust and Medical Trust Hospital, Mundakayam. 5. Kallamkulam Rubber Estate. 6. Poodh Kuzhy Estate, Kanjarpally Village.
3	Cochin	23-12-68	7. The Shertalloy Coir, Mats and Matting Corporation, Shertalloy. 8. Self-owned Coir Establishment near Myaithri Village. 9. Charankathu Coir Manufacturing Co. near Maraikulam Village. 10. Good Acres, Alleppy.



APPENDIX V(E)

DISCUSSION HELD BY THE CHAIRMAN WITH VARIOUS PARTIES

Sl. No.	Place	Date	Persons with whom discussion held
1	2	3	4
1	Parasia Coal Field, Distt. Chhindwara	2-9-68	<i>Government Officers</i> 1. Shri G. Purnirkety, Assistant Labour Commissioner (C) Chhindwara. 2. Shri Tara Singh, Labour Enforcement Officer (C), Chhindwara. <i>Employers</i> 3. Shri B. S. Grewal Agent for (i) Shaw Wallace & Co. (ii) P.V. Coal Co. Ltd., and (iii) A.C. Coal fields Ltd. 4. Shri G. V. Bole Safety Officer, Ambara Colliery. 5. Shri T. C. Verma, Labour Officer, Shaw Wallace & Co. (E.D.C. Colliery). 6. Shri G.P. Gulati, Labour Officer, Shaw Wallace & Co. 7. Shri P. V. Balakrishnan, Welfare Officer, Newton Chikli Colliery. <i>Workers</i> 8. Shri Baldev Prasad 9. Shri Ram Prasad Vishwakarma 10. Shri Sajni Kumar M.P. Rashtriya Koyla Khadan Mazdoor Sangh (I.N.T.U.C.), Chanda-meetta. 11. Shri R. D. Buskar, Young India Khadan Mazdoor Trade Union (Hindu Mazdoor Sabha), Newton Chikhli. 12. Shri A. R. Farooqui, Vice President, All India Khadan Mazdoor Federation, (Hindu Mazdoor Sabha). 13. Shri Ram Naryan Singh, General Secretary, Satpura Koyla Khadan Mazdoor Congress, Junnardeo. 14. Shri Shiv Pal Kumar Morya, Vice President, Municipal Karamchari Union, Jamai. 15. Thakur Gurnam Singh, Propaganda President, Municipal Karamchari Union, Jamai. 16. Thakur Durga Singh, Branch President, Municipal Karamchari Union, Jamai. 17. Shri Sunder Singh, Vice-President, Madhya Pradesh Bhartiya Mazdoor Sangh. 18. Shri Shivbadan Singh, President, Bharatiya Koyla Mazdoor Khadan Sangh (Bhartiya Mazdoor Sangh), Madhya Pradesh. 19. Shri Mohan Singh, General Secretary, Bharatiya Koyla, Mazdoor Khadan Sangh (Bharatiya Mazdoor Sangh), Madhya Pradesh. 20. Shri Manilal, Member Executive, Bhartiya Koyla Mazdoor Khadan Sangh, Madhya Pradesh. 21. Shri Rajjak Khan, Football Captain, Football Team, Chandametta.
2	Yoga Institute, Santa Cruz, Bombay.	1-2-69	22. Shri Yogendra, Director of the Institute.
3	Nisar-gopacher Ashram, Urulikan- chan, Poona.	3-2-69	23. Shri Sukhbir Singh, Director. 24. Shri Krishna Chandra, Mangar, Hospital Section. 25. Shri Manibhai Desai, Secretary and Managing Trustee.
4	Kaivalyadham Sreeman Madhav Yoga Mandir Samiti, Scientific Research Department, Yogic Hos- pital, Lonavla (Poona).	3-2-69	26. Dr. P. V. Karambelkar, Joint Director of Research. 27. Dr. Mahajot Sahai, Research Officer. 28. Dr. G. K. Pai, Research Staff Member. 29. Shri R. K. Sahu, Research Assistant. 30. Pt. R. G. Kokje, Tarka-Sankhya-Teertha, Dharam-Pareena, Sahstri.

1	2	3	4
4	Kaivalyadhom Sreeman Madhav Yoga Mandir Samiti, Scientific Research Department, Yogic Hos- pital Lonavla (Poona)— <i>contd.</i>	3-2-69	31. Dr. M. V. Bhole, Director of Scientific Research. 32. Dr. Vijayendra Pratap, Assistant Director of Research. 33. Shri M. L. Gharote, Assistant Director of Research. 34. Shri O. P. Tiwari, Secretary.
5	Nature Cure Institute of Shri Maha- bir Prasad Poddar, Jasidih.	25-2-69	35. Shri Chhotelal Deb Sukla. 36. Shri Sham Lal Barnwal 37. Shri Badri Prasad Agarwal 38. Shri Dhoni Sahib 39. Shri Ram Das Singh 40. Shri Mukti Singh 41. Shri Murlidhar Agarwal 42. Shri Dukh Haran Shah 43. Shri Yogendra Singh Atwal
6	The Industrial Labour Welfare Association Ltd., Coimbatore.	2-6-69	44. Shri G. D. Naidu.

These indoor patients were
interviewed and their
case history was recor-
ded.



APPENDIX V(F)
DISCUSSION HELD BY THE CHAIRMAN
AND MEMBER SECRETARY WITH VARIOUS
PARTIES

Sl. No.	Place	Date	Persons with whom discussion held
1	2	3	4
1	Amritsar	11-12-68	<i>Government Officers :</i> 1. Shri N. N. Vohra, Labour Commissioner. 2. Shri P. P. Shukla, Labour-cum-Conciliation Officer. 3. Shri Tara Singh, Labour Officer. <i>Employers :</i> 4. Shri Shantilal, Mahalakshmi Printing Mills. 5. Shri S. L. Kapur, Punjab Woollen Mills. 6. Shri M. L. Mehra, Lal, Woollen & Silk Mills. 7. Shri Kamal Kumar, S. P. 8. Shri G. K. Nayar, Textile Mills Association. 9. Shri P. R. Kapur, Textile Mills Association. 10. Shri K. C. Savlani, Fine Finishers. 11. Shri O. P. Mehra, Ashok Rayon Mills. 12. Shri Panna Lal Mahajan, Kalyan Textile Mills. 13. Shri P. L. Kapur, The Amritsar Rayon & Silk Mills. 14. Shri Ram Prakash, Satish Printing Works. 15. Shri Tirlok Chand, Behari Lal Rattan Chand Printing Mills. 16. Shri R. P. Khanna, Rani Weaving Industries. 17. Shri M. L. Dalima. Usha Textiles. <i>Workers :</i> 18. Shri Parduman Singh, General Secretary, Textile Mazdoor, Ekta Union (A.I.T.U.C.), Amritsar. 19. Shri Revindra Singh Lakshman, Bharatiya Mazdoor Sangh, Amritsar.
2	Kapurthala	11-12-68	<i>Government Officers :</i> 20. Shri N. N. Vohra, I.A.S. Labour Commissioner, Punjab. 21. Shri Attar Singh Talabgar, Labour-cum-conciliation Officer, Jullundur. 22. Shri Harbhajan Lall, Labour Inspector, Phagwara. 23. Shri Hari Om Khanna, Shops Inspector, Jullundur. <i>Employers :</i> 24. Shri D. P. Khosla, Kayson Engineering Works. 25. Shri S. P. Sakhuja, General Manager, Engineering Works, Kapurthala. 26. Shri M. L. Khanna, Ramkay Engineering Co., Pvt. Ltd., Kapurthala. 27. Shri S. S. Khosla, President, Factory Owner's Association, Kapurthala. <i>Workers :</i> 28. Shri Ram Prakash Bedi, Legal Secretary, Punjab Indian National Trade Union Congress.
3	Ludhiana	12-12-68	<i>Government Officers :</i> 29. Shri N. N. Vohra, Labour Commissioner, Punjab. 30. Shri K. Y. Singh, Labour Officer, Ludhiana. 31. Shri S. D. Khichy, Labour Officer, Ludhiana. <i>Employers :</i> 32. Shri Prem Nath Gupta, Chamber of Industries. 33. Shri Girdhari Lal Lamba, Ludhiana Powerloom Factory Association. 34. Shri Harbans Singh, Ludhiana Powerloom Factory Association.

1	2	3	4
3	Ludhiana— <i>contd.</i>		35. Shri Badri Nath Mahajan, Ludhiana Powerloom Factory Association. 36. Shri Harbans Singh, Bicycle Industry. <i>Workers :</i> 37. Shri Sita Ram } All India Trade Union Congress. 38. Shri Mulakh Raj } 39. Shri Desa Singh, General Secretary, Distt. Textile Workers Union, Ludhiana. 40. Shri Karam Chand, President, Distt. Hosiery Workers' Union, Ludhiana. 41. Shri Jas Raj, General Secretary, Ludhiana Rehri and Cycle Rikshaw Workers' Union, Ludhiana. 42. Shri Bag Chand, General Secretary, Ludhiana Hosiery Workers' Association, Ludhiana. 43. Shri Shyam Singh Chavan, Bhartiya Mazdoor Sangh.
4	Yamunanagar	13-12-68	<i>Government Officers :</i> 44. Shri P. N. Puri, Deputy Labour Commissioner, Haryana. 45. Shri J. D. Mehta, Labour Officer-cum-Conciliation Officer. <i>Employers :</i> 46. Shri Jai Gopal, Yamuna Agrico. 47. Shri M. S. Tyagi, Thaper Group of Industries. 48. Shri Ramesh Chandra, Key Iron Works Pvt. Ltd., 49. Shri S. L. Dhiman, Indo-British Engineering C. (P) Ltd. Yamunanagar. 50. Shri M. R. Saluja, Oriental Engineering Works. 51. Shri Khairati Ram Malhotra, Punjab Engineering Co. Ltd. 52. Shri Balwant Rai Gupta, Modi Distillery. 53. Shri Vidya Sagar, Everest Plastics. 54. Shri B. R. Gupta, United Precision Engineering Co. 55. Shri B. K. Gonjal, Parkash Metal Industries. 56. Shri C. K. Kohli, Rajender Singh & Sons. 57. Shri Shanti Swarup, Shibu Metal Works, Jagadhari. 58. Shri S. L. Bansal, Adarsh Metal Industries. 59. Shri O. P. Aggarwal, Aggarwal Metal Industries, Jagadhari. 60. Shri Harbans Singh, M/s. H. K. Engineering Works. 61. Shri Ramesh Pant, Vartman Engineering (P) Ltd. 62. Shri Vinit Singh, Jamna Auto Yamunanagar. <i>Workers :</i> 63. Shri Madhusudan Sharan Kaushik, Jagadhri Metal Mazdoor Sabha (Indian National Trade Union Congress). 64. Shri D. P. Datta, President, Municipal Employees' Union. 65. Shri T. C. Wahi, Office Secretary Indian National Trade Union Congress, Haryana. 66. Shri R. B. Misra, President, Bharat Starch Mills Labour Union, Yamunanagar. 67. Shri Bansi Lal, President, Bharat Starch Mills Labour Union, Yamunanagar. 68. Shri Jagan Singh, General Secretary, S.E.W. Workers Union, Yamunanagar.
5	Gandhi Smarak Nidhi, Punjab, Patti Kalyana, Karnal.	16-3-69	69. Shri Staya Prakash, Manager. 70. Dr. Raj Narayan, Prakritik Chikitsak. 71. Dr. Sachidanand, Prakritik Chikitsak. 72. Shri T. N. Atre, Gram Bhavan, Printing Press. 73. Shri Mahavir Tyagi, Acharya, Sanitary School, Patti Kalyana, Karnal. 74. Shri Jagdish Chandra Johar Founder & Editor, Gram Bhavan Printing Press, Patti Kalyana. 75. Shri R. S. Rawat Ji, Accountant.

APPENDIX V(G)

DISCUSSION HELD BY THE MEMBER SECRETARY WITH VARIOUS PARTIES

Sl. No.	Place	Date	Persons with whom discussion held
1	2	3	4
1	Bombay	8-9-68 & 9-9-68	1. Shri D. G. Kale, Labour Commissioner Maharashtra. 2. Shri P. J. Ovid, Deputy Labour Commissioner, Maharashtra.
2	Hyderabad	17-12-68 & 18-12-68	3. Shri M. A. Abbas, Secretary, Industries Department, Andhra Pradesh. 4. Shri K. B. Lall, Labour Commissioner, Andhra Pradesh.
3	Bangalore	18-12-68 & 19-12-68	5. Shri K. Puttaswamy, Labour Minister, Mysore. 6. Mir Masood Ali Khan, Deputy Labour Commissioner. 7. Shri S. G. Deshpande, Assistant Labour Commissioner. 8. Shri G. Mathias, Chairman, Coffee Board. 9. Shri M. C. Narsimhan, General Secretary, State Branch of All India Trade Union Congress. 10. Shri A. Krishniah, President, State Unit of Bhartiya Mazdoor Sangh. 11. Shri A. Venkataraman, Secretary State Unit of Bhartiya Mazdoor Sangh. 12. Shri N. Guruswamy, Secretary, Annapurna Association, Bangalore.
4	Trivandrum	20-12-68	13. Shri C. K. Kochukoshy, Secretary Department of Labour & Social Welfare, Kerala. 14. Shri N. Kochukrishnan, Labour Commissioner, Kerala.
5	Kottayam	21-12-68 & 22-12-68	15. Shri P. Habib Mohamed, Chairman, Rubber Board
6	Cochin	23-12-68	<i>Representatives of coir Board</i> 16. Col. V. V. Dev, Chairman. 17. Shri C. Prabhakaran, Vice-Chairman. 18. Shri C. G. Sadasivan, Member. 19. Shri P. K. Padmanabhan, Member. 20. Shri M. Narayan Kurup, Member.
			<i>Employers :</i> 21. Shri M. K. Gopalani, Kerala Coir Producers and Dealers' Association. 22. Shri Thomas Mathew, Travancore-Cochin Coiryan Merchants Association. 23. Shri C. M. Pathak, The Cochin Coir Merchants Association 24. Shri H. N. Narayandas, The Cochin Coir Merchants' Association. 25. Shri G. Alexander, Travancore Coir Mats and Matting Manufacturers' Association. 26. Shri T. S. Iyer, Travancore Coir Mats and Matting Manufacturers' Association. 27. Shri T. S. Abdur Rehman, Kerala Balers and Exporters Association, Alleppy.

1	2	3	4
			<i>Workers :</i>
6	Cochin—contd.		28. Shri P. G. Padmanahban, Travancore Coir Factory Union.
			29. Shri P. K. Greogory, Coir Labour Union (India National Trade Union Congress).
			30. Shri K. C. Eapen, Coir Cochin Union (I.N.T.U.C.).
			31. Shri S. Narayanswamy, Associated Cottage Industries & Shippers Union.
			32. Shri B. K. Bhaskarn, Travancore Coir Factory Workers' Union.
			33. Shri N. P. Purusth-thaman Muhamma Coir Factory Workers' Union Muhamma.



APPENDIX VI(A)

LIST OF PERSONS WHO APPEARED BEFORE THE COMMITTEE FOR ORAL EVIDENCE DURING ITS VISIT TO VARIOUS STATES AND UNION TERRITORIES

ANDHRA PRADESH

1. Shri Konda Lakshman Bapuji, Minister for Labour & Public Relations.
2. Shri Bharat Chand Khanna, Commissioner of Labour.
3. Shri B. N. Waghray, Deputy Commissioner of Labour.
4. Shri Y. Sivasankara Reddy, Deputy Commissioner of Labour.
5. Shri S.A.M. Moosvi, Deputy Commissioner of Labour.
6. Shri K. S. Shafeeq, Assistant Labour Commissioner.
7. Shri C. O. Reddy, Chief Inspector of Shops & Commercial Establishments.
8. Shri C.K.A. Vankatesan, Assistant Chief Inspector of Shops and Commercial Establishments.
9. Shri D. Lakshminarayanan, Deputy Chief Inspector of Factories.
10. Shri A. V. Raghavacharayalu, Inspector of Labour, Hyderabad District.
11. Shri Jagannath Rao, Labour Officer, Andhra Pradesh Road Transport Corporation, Hyderabad.
12. Shri D. C. Mukerjee, Representative, India Government Mint, Hyderabad.
13. Shri Moin Farooqui, Editor, 'Angaray', Hyderabad.
14. Shri Mohd. Manzoor Hassan, Editor, "Rahnumoe-Deccan", Hyderabad.
15. Shri Devendra Nath Bhanot, General Manager, "Milap", Hyderabad.
16. Shri K. R. Nand Gopal, "Deccan Chronical", Secunderabad.
17. Shri Abid Ali Khan, Editor, "Siasat", Hyderabad.
18. Shri Bhagwan Das Partani Film Exhibitors Association, Hyderabad.
19. Shri Ramesh Chandra Lohiti, President, Hyderabad State Film Chamber of Commerce & Hyderabad Film Exhibitors Association, Hyderabad.
20. Shri K. Sreenivasa Murthy, Federation of Andhra Pradesh Chamber of Commerce & Industry, Hyderabad.
21. Shri N. Ramakrishna Moorthy, Research Officer, Federation of Andhra Pradesh Chamber of Commerce and Industry, Hyderabad.
22. Shri K. Rama Rao, Personnel Manager, Hylam Ltd., Hyderabad.
23. Shri B. Rajasekhara Rao, Administrative Officer, Brooke Bond India Ltd., Ghatkesar.
24. Shri M. Shyam Mohan, Personnel Officer, Singarani Collieries Co. Ltd., Balam-palli.
25. Shri J. Satyanarayana, Andhra Pradesh Trade Union Congress, Hyderabad.
26. Shri Amolak Ram, gress, Hyderabad.
27. Shri G. Yallanmunda Reddy, General Secretary Andhra Pradesh Agricultural Labour Union, Hyderabad.
28. Dr. G. S. Malkote, M. P. Indian National Trade Union Congress, (Andhra Pradesh Branch), Hyderabad.
29. Shri S. Koteswara Rao. } The Reserve
30. Shri M. G. Ganupule. } Bank of India
31. Shri B. Kishan Lal. } Workers' orga-
32. Shri Makhdoom Mohiuddin, President, Andhra Pradesh State Road Transport Corporation Employees' Union, Hyderabad.
33. Shri J. Manapathu Rao. } D. S. & Co.,
34. Shri C. Subrahmanyam. } Non Conven-
35. Shri S. Sathiraju. } tional Staff
36. Shri B. Nageswar Rao, Secretary, Indian Federation of Working Journalists, Secunderabad.
37. Shri G. S. Varadachari, Andhra Pradesh Union of Working Journalists, Secunderabad.
38. Shri Sheik Mastan. } The National
39. Shri V. R. Raju. } Jute Weavers'
40. Shri B. Jagadishwar Reddy. } Association.
41. Shri R. K. Mahajan. } Indian As-
42. Shri H. R. Saxena. } sociation
43. Shri G. S. Dhanamjaya. } of Trained
44. Shri V. Jagannadha Rao. } Social
45. Shri K. P. Tripathi, Minister for Labour & Finance.
46. Shri S. J. Das, Secretary, Labour & Health Department, Shillong.
47. Shri Ramesh Chandra, Secretary, Tribal Social Welfare & Local Self Government.
48. Shri H. S. Bajray, Deputy Secretary, Labour Department.

ASSAM

49. Shri H. P. Duara, Labour Commissioner, Shillong.
50. Shri N. Sinha, Welfare Commissioner, Tea Plantations Labour Welfare Board.
51. Shri B. Sarma, Additional Labour Commissioner.
52. Shri G. K. Phukan, Divisional Superintendent, State Transport, Jorhat.
53. Shri M. M. Das, Assistant Registrar of Cooperative Societies, Jorhat.
54. Shri R. K. Ghosh, Director of Health Services.
55. Shri J. P. Awatramani, Superintending Engineer, (Flood Control-cum-Under Secretary).
56. Shri H. Rahman, Director of Employment & Craftsmen Training.
57. Shri S. K. Talukdar, Deputy Director of Craftsmen Training.
58. Shri R. K. Rastogi, Regional Provident Fund Commissioner.
59. Shri J. Gogia, Joint Registrar of Cooperative Societies.
60. Shri G. C. Sharma, Additional Chief Engineer, Public Works Department, Shillong.
61. Shri S. Hussain, Foreman-cum-I/c Circle Office, Kemang Bari, NEFA.
62. Shri K. D. Chaudhury, Range Officer, Kemang Bari, NEFA.
63. Shri D. L. Purkayastha, General Manager. } Indian Oil Corporation Assam.
64. Shri L. P. Barua, Personnel Officer. }
65. Shri M. M. Dutt, Oil India Ltd., Duliajan.
66. Shri O. Terang, Welfare Officer, Post & Telegraph Department, Shillong.
67. Shri Brij Ballabh Das Bagri, Manager, Stocklingta Tea Estates, Jorhat.
68. Shri G. T. Allen, Chairman. }
69. Shri P. C. Nag. }
70. Shri F. R. Wilson. }
71. Shri R. N. Clifford. }
72. Shri M. K. Courtney. }
73. Shri J. M. Lampitt. }
74. Shri E. K. Rawson. Gardner. }
75. Shri S. N. Phukan, Secretary, Assam Tea Planters' Association, Jorhat.
76. Shri S. Sinha. }
77. Shri M. L. Gadia. }
78. Shri A. K. Deshmukh }
79. Shri J. N. Baruah.
80. Shri P. K. Bhuyan, Manager, Nahorani Tea Estate.
81. Shri B. N. Dutta, Assam Oil Co. Ltd., Digboi.
82. Shri D. C. Barkataki, Indian Carbon Limited, Gauhati.
83. Shri M. C. Phukan, Managing Director, Assam Cooperative Apex Bank Ltd., Shillong.
84. Shri B. Hazarika, Assam Cooperative Sugar Mills, Dergaon, Assam.
85. Dr. L. C. R. Emmett, Chief Medical Officer Mariana Medical Association, Jorhat.
86. Prof. Dulal Khound, Assam Iron Workers' Union and National Engineering & Electrical Co. Labour Union, Jorhat,—affiliated to AITUC.
87. Shri Durlabh Mahanta, Assam Chah Mazdoor Union and Wood Workers' Union, Jorhat,—affiliated to AITUC.
88. Shri A. K. Das, Vice President }
89. Shri Gurmail Singh, Vice President, }
90. Shri N. K. Sharma, Secretary, }
91. Shri N. N. Sarmah, Secretary, }
92. Shri A. Sabriar, Organising Secretary. }
93. Shri S. Hazarika, Secretary, }
94. Shri J. Goswami, Treasurer, }
95. Shri B. C. Bharati, Member, }
96. Shri P. K. Saikia, Ex-General Secretary, }
97. Shri D. Bhattacharya, Ex-Secretary, }
98. Shri P. G. Mukherjee, President, }
99. Shri Probin Goswami, General Secretary, }
100. Shri N. N. Saikia, }
101. Shri H. N. Bordoloi, }
102. Shri Bibuhti Bhusan Das, }
103. Shri Jagannath Sinha, }
- Refinery Workers' Union (INTUC), Noonmati.
- Assam Cha Mazdoor Sangh (INTUC)
- Assam Cha Karamchari Sangh (INTUC). Tezpur.
- Cachar Cha Shramik Union, Silchar.
- BIHAR
104. Shri R. C. Sinha, Labour Secretary.
105. Shri I. Prasad, Labour Commissioner.

106. Shri S. N. Saigal, Joint Labour Commissioner.
107. Shri S. K. Dutta, Deputy Labour Commissioner.
108. Shri Baleshwar Singh, Deputy Labour Commissioner.
109. Shri B. P. Srivastava, Deputy Chief Inspector of Factories.
110. Shri Gopal Prasad, Assistant Labour Commissioner.
111. Shri R. P. Sinha, Deputy Administrator, Patna Municipal Corporation.
112. Shri S. N. Sinha, Welfare Administrator.
113. Shri M. M. Bose, Chief Engineer, Public Works Department.
114. Shri C. P. Sharma, Superintendent Secretariat Press, Patna.
115. Shri J. Misra, Asstt. Superintendent, Secretariat Press, Patna.
116. Shri K. M. Prasad, Labour Welfare Officer, Secretariat Press, Patna.
117. Shri K. L. Swami, Managing Director, Bihar State Industrial Development Corporation.
118. Shri R. A. Narain, Controller of Accounts, Bihar State Industrial Development Corporation.
119. Shri R. N. Sharma, Director of Personnel, Bihar Electricity Board.
120. Shri M. C. Subarna, Secretary, Bihar State Electricity Board.
121. Shri R. N. Sinha, Chief of Administration, Bihar State Road Transport Corporation.
122. Shri B. Prasad, Chief Operator, Bihar State Road Transport Corporation.
123. Shri J. Ram, Chief Accounts Officer, Bihar State Road Transport Corporation.
124. Shri L. K. Thakur, Administrative Medical Officer, Employees' State Insurance Corporation.
125. Shri B. Lall, Legal Adviser, Patna municipal Corporation, Bihar.
126. Shri N. D. Taneja, Executive Engineer, Coal Mines Welfare Organisation, Dhanbad.
127. Shri N. P. B. Nair, Secretary, Coal Mines Welfare Organisation, Dhanbad.
128. Shri G. D. Varma, Secretary, Mica Mines Welfare Organisation, Dhanbad.
129. Shri N. D. Bodade, Regional Labour Commissioner (C), Dhanbad.
130. Shri S. Narendran, Information Officer, Government of India.
131. Shri S. N. Pande, Deputy General Manager, Bokaro Steel Ltd.
132. Shri S. N. Chakravarty, Personnel Manager, Bokaro Steel Ltd.
133. Dr. Babu Vijayanath, Deputy Personnel Manager, Bokaro Steel Ltd.
134. Shri B. N. Jha, Assistant Personnel Officer, Bokaro Steel Ltd.
135. Shri M.R.N. Moorthy, Secretary, Hindustan Steel Ltd.
136. Shri M. Parthasarathy, Chief (Contract Branch), Hindustan Steel Ltd.
137. Shri O. P. Khetan, Hindustan Steel Ltd.
138. Shri V. Manohar, Joint Chief (Industrial Relations Branch), Hindustan Steel Ltd.
139. Shri D. N. Ghosh, Chief of Personnel, Heavy Engineering Corporation Ranchi.
140. Shri C. G. Singh, Assistant Superintendent, Heavy Engineering Corporation, Ranchi.
141. Shri B. K. Banerji, Additional Public Relations Officer, Heavy Engineering Corporation, Ranchi.
142. Shri S. C. Dutta, Officer on Special Duty (Welfare), Heavy Engineering Corporation, Ranchi.
143. Shri Yogeshwaran, Area General Manager, National Coal Development Corporation, Dhanbad.
144. Shri M. L. Gulati, Senior Group Personnel Officer, National Coal Development Corporation, Dhanbad.
145. Shri S. K. Verma, Chief Personnel Officer, National Coal Development Corporation, Dhanbad.
146. Shri B. R. Pai, Chief Mining Engineer, National Coal Development Corporation, Dhanbad.
147. Shri L. Singh, Labour Officer, National Coal Development Corporation, Dhanbad.
148. Shri K. D. Bhattacharji, Personnel Officer, National Coal Development Corporation, Dhanbad.
149. Shri K. C. Bhargava, Chamber of Commerce, Patna.
150. Shri R. G. Iyer, Manager, Bihar Cotton Mills Ltd.
151. Shri Rajdeva N. Sinha, Liaison Officer, Bird & Co. (P) Ltd.
152. Shri A. Kalimuddin, Administrative Officer, Polson Model Dairy.
153. Shri S. P. Jain, Assistant Manager, Bata Shoe Co. (P) Ltd.
154. Shri G. R. Nair, Manager, Bihar, Co-operative Weaving and Spinning Mills Ltd., Patna.
155. Shri J. P. Singh, Labour & Welfare Inspector, Mokamah Firm, Patna.
156. Shri R. M. Dave, Indian Colliery Owners' Association, Dhanbad.
157. Shri P. R. Khandekar, Indian Colliery Owners' Association, Dhanbad.

158. Shri D. N. Chatterjee, Chief Labour Officer, East India Coal Co. Ltd., Dhanbad.
159. Lt. Gen. S. D. Verma, General Manager, Tata Electric and Locomotive Co., Jamshedpur.
160. Shri A. K. Dwivedy, Personnel Manager, Tata Electric and Locomotive Co., Jamshedpur.
161. Shri K. K. Sinha, Community Development Officer, Tata Electric and Locomotive Co., Jamshedpur.
162. Shri R. P. Billimoria, Divisional Manager, Tata, Iron & Steel Co. Jamshedpur.
163. Shri J. K. Jha, Public Relations Officer.
164. Shri K. C. Cherian, Deputy Chief Personnel Manager.
165. Shri S. N. Singh, Assistant Chief Personnel and Welfare Officer.
166. Shri R. N. Sharma.
167. Shri A. P. Gupta.
168. Shri G. N. Singh.
169. Shri C. N. Jha.
170. Shri Shankar Bose.
171. Shri D. Saw.
172. Shri A. K. Banerjee.
173. Shri R. N. Sharma, M.L.A. INTUC, Dhanbad.
174. Shri A. Das Gupta, INTUC, Dhanbad.
175. Shri V. G. Gopal, Tata Workers' Union, Jamshedpur.
176. Shri T. Karmakar, Tata Workers' Union, Jamshedpur.
177. Shri K. Simhachalam, Tata Workers' Union, Jamshedpur.
178. Shri D. K. Duby, Tata Workers' Union, Jamshedpur.
179. Shri M. Senapati, Tata Workers' Union, INTUC, Jamshedpur.
180. Shri R. N. Tewary, Tata Workers' Union INTUC, Jamshedpur.
181. Shri K. Mukhi, Tata Workers' Union, INTUC, Jamshedpur.
182. Shri B. N. Pande, Tata Workers' Union, INTUC, Jamshedpur.
183. Shri S. Chaudhry, General Secretary, INTUC, Bihar Branch, Jamshedpur.
184. Shri Ratan Roy, Representative of All India Trade Union Congress (Bihar Branch).
185. Shri Barin Dey.
186. Shri Ali Amjad.
187. Shri Suraj Narain Singh, President.
188. Shri Braj Kishore Shastri, Vice-President.
189. Shri B. K. Shastri, Representative of Transport Workers' Union.
190. Shri R. P. Chowdhary, S. S. Samiti (Sindri).
191. Shri Chinmoy Mukherjee, Bihar Koyla Mazdoor Sabha, Dhanbad.
192. Shri H. C. Mishra.
193. Shri Yash Raj Singh.
194. Shri Surya Narain Singh.
195. Shri Shafique Khan, Coal Workers' Union, Giridih.
196. Shri Lakshmi Narayan, General Secretary, TELCO Workers' Union, Jamshedpur.
197. Shrimati R. O. Dhan, Director, Bihar Tribal Research Institute, Ranchi.
198. Shri T. R. Sharma, Assistant Director, Bihar Tribal Research Institute, Ranchi.
199. Mrs. Nilima Achari, Head of Department of Field Work, 'X'avir Labour Research Institute, Jamshedpur.
200. Shri J. Philip, Assistant Professor of Management, 'X'avir Labour Research Institute, Jamshedpur.
201. Shri C. Grams, Programme Director, 'X'avir Labour Research Institute, Jamshedpur.
202. Smt. Geeta Narsingh, Hony. Secy., Dhanbad District Coal Field Miners' and Workers' Cooperative House Building Society, Ltd., Dhanbad.

GUJARAT

203. Shri S. M. Dudhani, Labour Secretary.
204. Shri B. B. Brahma-Bhatt, Deputy Secretary, Department of Labour & Employment.
205. Shri S. C. Shah, Welfare Commissioner.
206. Shri A. V. Vyas, Incharge, Commissioner of Labour, Ahmedabad.
207. Shri N. C. Shah, Joint Director of Agriculture.
208. Shri D. P. Kukadia, Under Secretary, Public Works Department.
209. Shri S. B. Mani, Incharge Director of Fisheries.
210. Shri B. V. Subhedar, Superintendent, Department of Fisheries, Veraval.
211. Shri M. N. Joshi, Assistant Director of Fisheries, Veraval.
212. Shri R. P. Patel, Chief Inspector of Factories.
213. Shri J. B. Shah, Junior Inspector of Factories, Junagarh.

214. Shri K. I. Shroff, Junior Inspector of Factories, Rajkot.
215. Shri P. L. Puwar, Assistant to Chief Conservator of Forests.
216. Shri A. K. Mookherjee, Regional Forest Officer, Sasan.
217. Capt. K. R. Ramanath, Officer Commanding I.N.S. Valsura, Jamnagar.
218. Shri M. G. Bhansali, Gujarat State Road Transport Corporation, Ahmedabad.
219. Shri J. V. Vyas I.A.S., Secretary, Gujrat Electricity Board, Baroda.
220. Shri D. P. Mehta, Gujarat State Fertiliser Co. Ltd., Baroda.
221. Shri Anandibhai Thakore, Deputy Municipal Commissioner, Ahmedabad.
222. Shri C. Radhakrishnan, Works Manager, The Indian Rayon Corporation, Veraval.
223. Shri S. M. Uppal, Personnel Manager, The Indian Rayon Corporation, Veraval.
224. Shri P. D. Trivedi, Saurashtra Mill-owners' Association, Ahmedabad.
225. Shri A. P. Shah, Saurashtra Millowners' Association, Ahmedabad.
226. Shri Manubhai Parikh, All India Manufacturers' Organisation, Ahmedabad.
227. Shri H. C. Acharya, Ahmedabad Mill-owners' Association.
228. Shri V. S. Yajnik, Manager.
229. Shri G. L. Padaliya, Personnel & Welfare Officer.
230. Shri V. B. Dixit, Personnel & Welfare Officer.
231. Shri P.V.S. Manyam, Tata Chemicals Ltd., Mithapur.
232. Shri Mansukh Lal Venishanker Raval, Saurashtra Chemicals, Porbandar.
233. Shri Gopal Roopnarain Gagar, Saurashtra Chemicals, Porbandar.
234. Shri V. N. Maheshwary, Saurashtra Chemicals, Porbandar.
235. Shri S. K. Phophalie, Saurashtra Chemicals, Porbandar.
236. Shri R. P. Maloo, Constituted, Attorney.
237. Shri D. K. Upadhyaya, Personnel Manager.
238. Shri M. T. Shukla, Secretary Textile Labour Association (INTUC) Ahmedabad.
239. Shri J. T. Vaishnoi, Textile Labour Association, (INTUC), Ahmedabad.
240. Shri D. K. Patel, Vice-President, Gujarat Branch of Indian National Trade Union Congress.
241. Shri B. Bhawe, Vice President, Chemicals Kamdar Sangh, Mithapur.
242. Shri Bikhabbhai, Trikam Bhai, Forest Labourer, Madhi, (Surat).
243. Smt. Bhagat Devi, Secretary, Ramparaj Sewa Sabha, Madhi, (Surat)
244. Shri S. S. Machi, Assistant Manager, Gujarat Fisheries Central Cooperatives Association.
245. Shri Mansoor Mill, Member.
246. Shri Amra Vasta, Member
247. Shri Ibrahim.
248. Shri Gunavantray Bapulal Bhat Secretary.
249. Shri Laxmidas Ratanshi Munjal.
- Executive Committee of the Co-operative Society, Devla Vibhag Jungle, Kamgar Sehkari Mandal, Devla.
- Sasan Shramjivi Sahakari Mandal, Junagarh.
- ### HARYANA
250. Shri R.I.N. Ahuja, Secretary, Labour & Employment.
251. Shri S. K. Misra, Labour Commissioner.
252. Shri D. A. Karan, Deputy Labour Commissioner.
253. Shri Jitendra Lal, Director of Employment.
254. Shri J. D. Gupta, Joint Director, Industries.
255. Shri O. P. Sikand, Officer on Special Duty, Industries Department.
256. Shri V.P.S. Kashyap, Agriculture Engineer.
257. Shri R. K. Berry, Executive Engineer.
258. Shri Shiv Lal, Chief Auditor, Cooperative Societies.
259. Shri S. R. Budhiraja, Joint Provincial Transport Controller.
260. Dr. P. N. Dugal, Asstt. Director, Employees' State Insurance Corporation.
261. Shri R. R. Oka, Chief Personnel Officer, Fertilizer Corporation of India, Naya Nangal.
262. Shri M. K. Bharadwaj, Labour Officer, Fertilizer Corporation of India, Naya Nangal.
263. Shri J. P. Sangal, Personnel Officer, Hissar Textile Mills.
264. Shri M. Isa Dass, General Manager, The Panipat Cooperative Sugar Mills Ltd., Karnal.
265. Shri J. N. Bhardwaj, President, Nangal Fertilizer Workers' Union (INTUC), Naya Nangal.
266. Shri H. N. Biswas, General Secretary, Nangal Fertilizer Workers' Union (INTUC) Naya Nangal.

267. Shri G. C. Joshi, General Secretary, Indian National Trade Union Congress, Haryana Branch.

JAMMU & KASHMIR

268. Pir Giassuddin, Labour Minister, Jammu & Kashmir.
269. Shri S. K. Raina, Labour Secretary.
270. Shri S. Y. Andrabi, Labour Commissioner.
271. Shri Nur Mohd. Secretary, Agriculture and Cooperative Department.
272. Shri P. N. Kaul, Health Secretary.
273. Shri Mohd. Yusuf Dar, Deputy Secretary, Food Department.
274. Shri H. K. Plasar, Deputy Secretary, Industries Department.
275. Shri Ghulam Ahmed, Deputy Secretary, Department of Labour and Tourism.
276. Shri T. N. Bhat, Deputy Director, Family Planning Department.
277. Shri Gazi Gulam Rasool, Superintending Engineer, Public Health Department.
278. Shri N. A. Gundroo, Executive Engineer, Water Works Division.
279. Shri Gulam Rasool Ashai, Administrative Officer, J & K Government Transport Undertaking, Srinagar.
280. Shri G. M. Dar, Traffic Manager, J & K Government Transport Undertaking, Srinagar.
281. Shri A. G. Butt, Deputy Director, J & K Government Transport Undertaking, Srinagar.
282. Shri G. H. Mohy-ud-din, Secretary, J & K Industries Ltd., Srinagar.
283. Shri A. L. Mengi, Manager, Raj Bagh Silk Factory, Srinagar.
284. Shri J. L. Sazawal, Manager, Government Spinning Mills Unit, J & K Industries Ltd., Srinagar.
285. Shri S. D. S. Mehta, Manager, Brick & Tile Factory, Pampore, Srinagar.
286. Shri G. Qadir, Manager Joinery Mills, Pampore, Srinagar.
287. Shri H. K. Tickoo, Administrative Officer, J & K Industries Ltd., Srinagar.
288. Shri Mian Gulam Nabi Manager, Sericulture Department (Silk Factory), Srinagar.
289. Shri P. S. Bali, Assistant Manager, Government Tanneries, Srinagar.
290. Shri K. K. Madan, Manager, Woollen Mills, Srinagar.
291. Shri Dhara Singh Aman, Chief Mining Engineer, J & K Minerals Ltd., Srinagar.
292. Shri Ghulam Rasool, Secretary, Kashmir Carpet Manufacturers' Association, Srinagar.
293. Mrs. Nora Richardson, Member, Kashmir Carpet Manufacturers' Association, Srinagar.
294. Shri D. S. Sawhny, President, Kashmir Chamber of Commerce.
295. Haji Mohd. Sultan President, } Kashmir Hotel Owners' Association, Srinagar-
296. Shri G. M. Mir, Secretary. }
297. Shri Mirajuddin, President, } Trade Employees' Association, Srinagar.
298. Shri G. Sosool, Vice-President, }
298. Shri R. Rasool, General Secretary }
300. Shri Prithvinath, Joint Secretary, }
301. Shri Ravi Bhattacharya, Secretary, Oberoi Palace Hotel Employees' Union.
302. Shri Radha Krishnan. } Members of the Executive Committee of the Oberoi Palace Hotel Employees' Union, Srinagar.
303. Shri Mohidin Shera }
304. Shri Abdul Ghani Baba. }
305. Shri A. W. Bhat. }
306. Shri O. N. Wali President, J & K Bank Employees' Federation, Srinagar.
307. Shri J. L. Tamiri, Organiser, State Central Labour Union, Srinagar.
308. Shri Gulam Mohd. Bagha, President, Silk Weaving Factory Union, Srinagar.
309. Shri Khwaja Azamuddin, Secretary, Govt. Woollen Mills Labour Union, Srinagar.
310. Shri Khaber Mohd. Dar. President, Government Woollen Mills Labour Union, Srinagar.
311. Shri Mohd. Abdulla Dar, President, Silk Factory Workers' Union Srinagar.
312. Shri Mohd. Subhan, Secretary Silk Factory Workers' Union Srinagar.
313. Shri Gulam Mohd. Nagoo, Secretary, Silk Workers' Union, Srinagar.
314. Shri Jia Lal, Secretary, Water Workers' Union, Srinagar.
315. Mohd. Ismail Sheikh, Organiser, Water workers' Union, Srinagar.
316. Shri Gulam Mohd. Butt, Vice-President, } Artex Kapoor Silk Mills Workers' Union, Srinagar.
317. Shri Abdul Khalik, Secretary, }
318. Shri Abdul Wehid, Joint Secretary, }
319. Shri Gulam Rasool Sheikh, Cashier, }
320. Shri Gulabsaha, President, Kashmir Carpet Cooperative Society, Srinagar.
321. Shri Mohd. Jamal, Vice-President, Carpet Cooperative Society, Srinagar.

322. Shri Abdul Samad, Secretary, Carpet Co-operative Society, Srinagar.
323. Shri Gulam Hasan, Member, Carpet Co-operative Society, Srinagar.
324. Sri Abdul Majid, Member, Carpet Co-operative Society, Srinagar.
325. Shri Gulam Hasan, Accountant Carpet Cooperative Society, Srinagar.
326. Shri Syed Ali, President, Pashmina Workers' Cooperative Society, Srinagar.
327. Shri Mohiudin, Secretary Pashmina Workers' Cooperative Society, Srinagar.
328. Shri Abdul Aziz, President, Kashmir Arts Cooperative Society, Srinagar.
329. Shri Abdul Majid, Secretary, Kashmir Arts Cooperative Society, Srinagar.
330. Shri Nasir Ali, Manager, Kashmir Arts Cooperative Society, Srinagar.
331. Shri Abdul Gani, President, Chain Stitch and Tapestry Workers' Cooperative Society, Srinagar.
332. Shri Habib Ullah, Chain Stitch and Tapestry Workers' Cooperative Society, Srinagar.
333. Shri Gulam Mohd., The Turquoise Workers Cooperative Society, Srinagar.
334. Shri Gulam Nabi, President, Kashmir Wood Carvers' Cooperative Society Ltd., Srinagar.

KERALA

335. Shri Mathai Manjooran, Minister for Labour, Kerala.
336. Shri N. Kochukrishnan, Labour Commissioner.
337. Shri A. G. Vydiar, Chief Inspector, of Plantations.
338. Shri K. Aleppy, Chief Inspector of Factories and Boilers, Trivandrum.
339. Shri S. Nagarajan, Deputy Secretary, Department of Health & Labour.
340. Shri P. Vasudeva Panikker, Joint Registrar, Cooperative Societies.
341. Shri K. M. Balakrishnan, Assistant Secretary, Board of Revenue.
342. Shri S. S. Menon, Chief Engineer (Electrical), Kerala State Electricity Board.
343. Shri M. Mukundan Unni, Joint Director of Fisheries.
344. Shri N. H. Bava, Deputy Labour Commissioner.
345. Shri K. C. Mathew, Joint Director of Agriculture.
346. Shri K.R.N. Menon, Deputy Director of Agriculture.
347. Shri P. Madhavan, District Labour Officer, Trivandrum.

348. Shri P. G. Thomas, Health Officer, Corporation of Trivandrum.
349. Shri V. M. Ipo, Inspector of Factories, Quilon.
350. Shri K. Bhaskaran, Inspector of Factories, Kundara.
351. Shri P. G. Ramachandran, Joint Personnel Manager, Fertilizers & Chemicals (Travancore) Ltd., Alwaye.
352. Shri J. K. Mani, Personnel and Welfare Officer, Titanium Products Ltd., Travancore.
353. Shri A.K.S. Nair, Personnel Officer, Hindustan Insecticides Ltd., Udyogmandal.
354. Shri P. Sethuram, Cochin Chamber of Commerce and Industries and West Coast Employers' Federation.
355. Shri S. Anantakrishnan, Chairman & Managing Director, The Plantations Corporation of Kerala.
356. Shri A. I. Mathew, Labour Welfare Officer, The Plantations Corporation of Kerala.
357. Shri K. Bhaskar Nair, Managing Director, Dharar Engineering Works (P) Ltd.
358. Shri A. Georennan, Vice-Chairman,
359. Shri O. C. Mathew, Secretary,
360. Shri M. M. Verghese, Member, Executive,
361. Shri S. Varadarajan Nair,
362. Shri K. V. Mathew
363. Shri Verghese Thundal
364. Shri C. Kannan, M.L.A.
365. Shri K. Padmanabhan
366. Shri P. K. Bhaskaran,
367. Shri T. C. N. Menon.
368. Shri K. V. Surendra Nath.
369. Shri J. Chitharanjan.
370. Shri P. S. Namboodri, M.L.A., Kerala State Trade Union Council, Trivandrum.
371. Shri K. P. Joseph, Vice-President, Travancore Krishaka Thozhilali Union, Kaynakery.
372. Shri K. P. Madhavan Nair, Secretary, Changanachery Taluk Karshaka Sangham.
373. Shri M. P. Mathew, General Secretary, Upper Kuttanad Karshaka Sangham, Chathenkary.
374. Shri C. K. Velayudhan, President, Krishak Tanlali District Council, Alleppy.

Association of
Planters of
Kerala, Kot-
tayaam.

Indian National
Trade
Union Congress.

All India
Trade Union
Congress.

375. Shri V. O. Abraham, Advocate, Kottayam.
 376. Shri A. B. Mohamed, Kanayanur Karshak Sangham.
 377. Shri K. R. Chacko, President, Central Kuttanadu Karashak Union, Kumarapalli.
 378. Shri K. Kunhirama Kurup, President, Kisan Panchayat, Calicut.
 379. Shri C. M. George, Professor, Agricultural College, Vellayam.
 380. Shri P. Kumara Pillai, Vice-Principal, Agricultural College, Vellayam.
 381. Shri K. P. Amrithanatha Aiyar, Monkompu.
 382. Shri N. T. Xavier, Secretary, Kuttanad Agricultural Association, Alleppy.

MADHYA PRADESH*

383. Shri Devi Sahai, Labour & Health Secretary.
 384. Shri S. D. Lal, Secretary, Irrigation.
 385. Shri R. K. Khanna, Secretary, Public Works Department.
 386. Shri Narain Singh, Secretary, Agriculture.
 387. Shri S. H. Aole, Additional Secretary, Transport.
 388. Miss Nirmala Yadav, Deputy Secretary, Labour.
 389. Shri M. M. Khar, Labour Commissioner.
 390. Shri L. N. Sandilya, Deputy Labour Commissioner.
 391. Shri N. R. Puranik, Deputy Labour Commissioner.
 392. Shri Tyagi, Labour Department.
 393. Shri R. K. Tikku, Director, Agriculture.
 394. Shri Baldev Singh, Managing Director, Madhya Pradesh, Laghu Udyong Nigam.
 395. Shri L. P. Gupta, Regional Director, Employees State Insurance Corporation.
 396. Shri B. C. Joshi, Regional Provident Fund Commissioner.
 397. Shri D. G. Bhawe, General Manager, Madhya Pradesh State Road Transport Corporation.
 398. Shri M. P. Singh, Director, Panchayat and Social Welfare.
 399. Shri A. C. Pinto, Housing Commissioner.
 400. Shri D. S. Sinha, Chief Engineer, Public Works Department (Irrigation).
 401. Shri M. M. Shah, Chief Engineer, Public Works Department.
402. General Manager, Gun Carriage Factory.
 403. Officer-in-Charge, Inspectorate of Armaments.
 404. Major Ganpuli, Administrative Officer, C.O.D., Jabalpur.
 405. Shri Jugal, Civilian Officer, C.O.D., Jabalpur.
 406. Shri M. Padmanabhan.
 407. Shri Parthasarathi.
 408. Shri Anand Joshi.
 409. Shri P. N. Singhani.
 410. Shri Gill.
 411. Shri Patel.
 412. Shri Shukla.
 413. Shri H. L. Jain.
 414. Shri Manoorja.
 415. Shri Bhandari.
 416. Shri G. Srinivasan.
 417. Shri Gurumokh Singh.
 418. Shri M. P. Sinha.
 419. Shri D. V. Chavan.
 420. Shri Inder Agnihotri.
 421. Shri L. M. Malhotra.
 422. Shri Jagdish Raj.
 423. Shri S. S. Gupta.
 424. Shri Raja Ram.
 425. Shri Nanavati.
 426. Shri Baijal.
 427. Shri V. V. Dravid, President, Madhya Pradesh Indian National Trade Union Congress.
 428. Shri Ganga Ram Tiwari, General Secretary, Madhya Pradesh Indian National Trade Union Congress.
 429. Shri Homi Daji, All India Trade Union Congress.
 430. Dr. (Mrs.) Sita Permanand, President, M. P. Rashtriya Koyla Khadan Mazdoor Sangh.
 431. Shri Ram Singh Bhai Verma.
 432. Shri Diwakar.
 433. Shri P. K. Thakur.
 434. Shri Govind Srivastava
 435. Shri Pradhan.
 436. Shri Chari.

Representatives of Public Sector Undertakings.

Representatives of Employers' Organisations.

Representatives of different workers' organisations.

*Unfortunately the attendance sheets of persons appearing for oral evidence in Madhya Pradesh have been lost inadvertently. The names of such persons only as actually participated in the discussions have, therefore, been given. It is regretted that only surnames of some persons are given as their full names are not available.

437. Representatives of Bhartiya Mazdoor Sangh.
438. Representatives of Gumashta Mandal, Ujjain.
439. Representatives of Indore Division Insurance Employees' Association.
440. Shri B. P. Sharma.
441. Shri Gulab Gupta.
442. Shri K. B. Chowgule.
443. Shri Baij Nath Sharma.
444. Shri Biseshwar Boral.
445. Shri Rahut.
446. Shri Sita Ram Nepali.
447. Shri Tiwari.
448. Shri L. K. Tandon.
449. Sir Datar Singh, Agriculturist (Krishi Pandit).
450. Shri P. C. Malhotra, Retired Principal.
451. Shri P. D. Kabra, Agriculturist.

Representatives of different workers' organisations.

MAHARASHTRA

452. Shri N. M. Tidke, Minister of Labour.
453. Shri Rafiq Zakaria, Minister for Public Health.
454. Shri D. S. Jagtap, Deputy Minister for Labour.
455. Shri Madan Gopal Aggarwal, Deputy Minister for Housing.
456. Shri H. Nanjundiah, Secretary, Government of Maharashtra, Industries and Labour Department.
457. Shri B. V. Laud, Deputy Secretary, Government of Maharashtra, Industries and Labour Department.
458. Shri V. V. Joshi, Acting Commissioner of Labour.
459. Shri N. L. Gadkari, Chief Inspector of Factories.
460. Shri F. T. R. Brite, Deputy Chief Inspector of Factories.
461. Shri D. G. Kale, Director of Employment Exchanges.
462. Shri R. K. Agrawal, Regional Director, Employees' State Insurance Corporation, Bombay.
463. Shri D. V. Apte, Deputy Regional Director, Employees' State Insurance Corporation, Bombay.
464. Dr. R. L. Narsingh Rao, Senior Medical Referee, Employees' State Insurance Corporation, Bombay.

465. Shri Y. D. Jaeeel, Deputy Secretary, Medical Department.
466. Shri S. L. Ogale, Deputy Secretary and Commissioner for Family Planning, Bombay.
467. Shri M. K. Noble, Housing Commissioner, Bombay.
468. Shri N. Y. Patil, Assistant Housing Commissioner.
469. Shri J. J. Hemrajani, Divisional Deputy Registrar of Cooperative Societies, Bombay.
470. Shri R. J. Latekar, Under Secretary, Agriculture & Community Development.
471. Shri A. G. Kalawar, Deputy Director of Fisheries, Bombay.
472. Shri V. R. Wadekar, Administrative Officer, Directorate of Agriculture.
473. Shri P. M. Bhandarkar, Surgeon General, Dental College, Bombay.
474. Shri R. J. Tambol.
475. Shri Saqiniyazi.
476. Shri S. R. Kulkarni.
477. Shri David Abraham.
478. Dr. (Mrs.) Anjana Magar.
479. Shri S. S. Kashikar.
480. Shri S. R. Miraghi.
481. Shri Raju Kulkarni.
482. Shri Virendra Kabra.
483. Smt. F. A. Irani, Labour Officer, Bombay Municipal Corporation.
484. Mrs. Sulochana M. Modi, President, Bombay City Social Education Committee.
485. Dr. B. S. Bhir, Director, Bombay Labour Institute, Bombay.
486. Shri A. H. Chandwani, Executive Engineer.
487. Shri G. J. Lalvani, Estate Manager.
488. Shri V. K. Samant, Assistant Estate Manager.
489. Shri C. V. Karajgi, Asstt. Estate Manager.
490. Shri B. V. Joshi.
491. Shri M. D. Kulkarni.
492. Shri R. D. Bhatia.
493. Shri T. Rajasekharan Pillay.
494. Shri L. K. Bhojwani.
495. Shri M. M. Sharma.
496. Shri P. N. Indurkar, Public Relations Officer.

Members' Maharashtra Welfare Board.

Maharashtra Housing Board.

Maharashtra Housing Board.

497. Shri G. N. Sapre, Regional Director. }
 498. Shri R. M. Nirmal, Education Officer. } Workers' Edu-
 499. Shri S. M. Dhikle, Deputy Chairman. } cation Board.-
 500. Shri B. L. Desai, Secretary. } Bombay Dock
 501. Shri Batuk H. Mehta, Chief Labour Labour Board
 502. Shri P. N. Thakore, Labour Officer, Bom-
 503. Shri S. G. Kulkarni, Labour Officer, bay Port Trust.
 504. Shri D. S. Dandekar, Personnel Officer, Maharashtra State Road Transport Cor-
 505. Shri V. B. Worlikar, Ex-Mayor of poration.
 506. Shri G. H. Gondhalekar, Director Hand-
 507. Shri V. E. Raymond. } made Paper and Gobar Gas.
 508. Shri B. H. Bhukhan- } Life Insurance
 509. Shri A. W. Dharwad- } Corporation.
 510. Shri B. L. Shelke, Sr. Personnel Officer, }
 511. Shri H. S. Poredi. } Fertilizer Corporation of India Ltd.,
 512. Shri P. M. Mantri. } Trombay, Bombay.
 513. Shri R. L. N. Vijaya- }
 514. Shri M. Piamal. } Bombay Mill-
 515. Shri Ram Prasad Poddar. } owners' Asso-
 516. Shri R. R. Ruia. } ciation.
 517. Shri G. B. Doar. }
 518. Shri J. L. Gore. }
 519. Shri R. G. Shriye. }
 520. Shri T. S. Swaminathan, Employers Fede-
 521. Shri M. M. Vakil, Employers Federa-
 522. Shri B. G. Kakatkar. } tion of India.
 523. Shri S. V. Rayan. } Indian Cotton
 524. Shri V. Y. Tamhane. } Mills Federation.
 525. Shri T. Mathew, Indian Engineering Asso-
 526. Shri R. K. Kutty, Indian Engineering ciation.
 527. Shri P. C. Mehta. }
 528. Shri T. L. Acharya. } Bombay Chamber
 529. Shri L. C. Joshi. } of Commerce and
 530. Shri C. Mennocha. } Industry.
 531. Shri C. M. Shukla. }
 532. Shri H. P. Merchant. }
 533. Shri G. M. Parikh. }
 534. Shri N. D. Sahukar. } All India Manu-
 535. Prof. V. B. Kamath. } facturers' Asso-
 536. Shri S. K. Somaiya. } ciation.
 537. Shri Ram Aggarwal. }
 538. Shri K. S. James. }
 539. Shri P. P. Vyas. }
 540. Shri A. T. Kajiji, Vice Chairman. }
 541. Shri T. S. Sehmi, Member. } Engineering
 542. Shri P. S. Krishnan, Assistant Secretary. } Association
 543. Shri T. S. Shetty, Assistant Labour Ad- of India.
 544. Dr. (Smt.) Lila Alvares, Morarjee Gokul-
 545. Shri B. K. Rindane. } das Mills.
 546. Shri Um-rao Bahadur. } Hindustan
 547. Shri S. C. Nanabhai, Zandu Pharmaceuti- Lever Ltd.,
 548. Shri P. G. Gokhale, Secretary, Mogul- Bombay.
 549. Shri S. C. Seth. } Lines Ltd., Bombay.
 550. Shri C. K. Vyas. } Federation of
 551. Shri A. T. Bhosale. } Association of
 552. Shri M. P. Thorat. } Stevedores.
 553. Shri Raja Kulkarni }
 554. Shri N. S. Deshpande } Indian Natio-
 555. Shri D. S. Salvi } nal Trade Uni-
 556. Shri Gajendra Kabra. } on Congress.
 557. Shri S. V. Gole. }
 558. Shri V. R. Hasting. }
 559. Miss. E. D'Souza, Rashtriya Mill Maz-
 560. Shri Manhar P. Mehta } door Sangh.
 561. Shri Balkrishna Nar- }
 562. Shri Raman G. Shah } har Sathaye
 563. Shri Kishore Desh- } Bhartiya
 564. Shri Gajanand } Mazdoor
 565. Shri Vasant Khadolkar, Hind Mazdoor Sabha. } Sangh.
 566. Shri B. S. Dhuni. }
 567. Shri K. N. Joglekar, } Maharashtra
 568. Shri G. Sundram. } Trade Union
 Congress.

569. Shri Atma Ram, Madhusudan Mills, Bombay.
570. Shri Gabriel George, Standard Mills, Bombay.
571. Shri S. S. Surve, Western India Mills, Bombay.
572. Shri Dashratha Vishnool Shinde, Swadeshi Mills, Bombay.
573. Shri Sadashiv Raja Ram Chavan, Kohinoor Mills, Bombay.
574. Shri Suryakant R. Kalikar, ESSO Mazdoor Sangh, Bombay.
575. Shri Girandhar Shanta Rao, Indo Burma Petroleum Company, Bombay.
576. Shri Shashikant G. Pradhan, Godrej Co., Bombay.
577. Shri N. Pawar
578. Shri M. K. Vasudeo Pillay. } Textile Mills Mazdoor
579. Shri K. R. Prabhu Desai. }
580. Shri S. R. Kulkarni. } Transport and Dock Workers' Union Bombay.
581. Shri B. M. Rao, Asstt. Secretary, }
582. Shri Noor Mohd. Ismail, Organiser, }
583. Shri Chintamani Deoji, Kota Mahila Sangh, Bombay.

MYSORE

584. Shri R. Anandakrishna, Secretary to Government of Mysore, Food, Civil Supplies and Labour Department.
585. Dr. N. S. Sidhu, Assistant Director, Central Sericultural Research and Training Institute, Mysore.
586. Shri S. A. Chaugule, Industrial Relations Manager, Hindustan Aeronautics Ltd.
587. Shri Y. J. Deshpande, Labour & Welfare Officer, Hindustan Aeronautics Ltd.
588. Shri B. Nand, Chief Labour Officer, Kolar Gold Field.
589. Shri Mahabir Sarup, Personnel Manager, Indian Telephone Industries.
590. Shri R. L. Kapoor, Deputy General Manager, Bharat Earth Movers Ltd.
591. Shri P. K. Mukundan, Assistant Personnel Manager, Bharat Earth Movers Ltd.
592. Shri B. S. Hanuman, Administrative Manager, Bharat Electronics Ltd.
593. Shri S. M. Shankara Gowda, Senior Welfare Officer, Bharat Electronics Ltd.
594. Shri S. K. Nanda, Chief of Personnel & Industrial Relations, Hindustan Machine Tools, Ltd.
595. Shri M. Indersena Raj, Mysore Iron & Steel Works Ltd., Bhadravati.
596. Shri S. Setha Rama Shetty, Mysore Iron and Steel Works Ltd., Bhadravati.

597. Shri K. S. Narayana Murthy, Government Silk Weaving Factory, Mysore.
598. Shri R. Somasundrarao, Factory Manager, Government Silk Filatures, Mysore.
599. Shri K. G. Ramamurthy, General Manager, Govt. Silk Weaving Factory, Mysore.
600. Shri G. N. Krishnamurthy. } Mysore Chamber of Commerce, Bangalore.
601. Shri Y. N. Ganga-dhara Setty. }
602. Shri H. K. Chandrashekhar. } Mysore State Planters' Association, Chickmagalur
603. Shri P. G. Gurjer. }
604. Shri H. P. Ramaswamy }
605. Shri K. Ram Das, Mysore State Planters' Association, Chickmagalur.
606. Shri A. M. Basav Gowda, Mysore State Planters' Association, Chickmagalur.
607. Shri A. C. Shive Gowda, Mysore State Planters' Association, Chickmagalur.
608. Shri A. D. Chandrashekhar, Mysore State Planters' Association, Chickmagalur.
609. Shri T. C. Manjappa Setty, Mysore State Planters' Association, Chickmagalur.
610. Shri A. P. Madgaokar, Imperial Tobacco Company, Bangalore.
611. Shri V. N. Gopinath, Motor Industries Co. Ltd., Bangalore.
612. Shri C. V. Narayana Row, Bangalore Woollen, Cotton and Silk Mills Co. Ltd., Bangalore.
613. Shri M. Ram Mohan Rao, Canara Bank Ltd., Bangalore.
614. Shri K. Ranga Swamy, Syndicate Bank Ltd., Manipal.
615. Shri B. L. Nagrajan, Personnel & Welfare Officer, Ideal Java (India) Pvt. Ltd., Mysore.
616. Shri D. Venkatesh, Indian National Trade Union Congress, Mysore Branch.
617. Shri K. Sriramulu, Indian National Trade Union Congress, Mysore Branch.
618. Shri N. Keshave, Indian National Trade Union Congress, Mysore Branch.
619. Shri Alampalli Venkataraman, Bhartiya Mazdoor Sangh, Bangalore.
620. Shri P. Raju, Bhartiya Mazdoor Sangh, Bangalore.
621. Shri Thimmarayappa, New Government Electric Factory Workers' Union, Bangalore.

ORISSA

622. Shri Raj Ballav Misra, Labour Minister, Orissa.
623. Shri G. N. Das, Secretary to Government of Orissa, Labour Department.

624. Shri U. N. Sahu, Labour Commissioner.
625. Shri N. Pati, Deputy Labour Commissioner.
626. Shri B. K. Patnaik, Chief Inspector of Factories & Boilers.
627. Shri S. N. Misra, Deputy Labour Commissioner.
628. Shri S. Nayak, Joint Secretary, Works and Transport Department.
629. Shri R. K. Podi, Chairman, Orissa Road Transport Corporation.
630. Shri S. N. Mishra, General Manager, Orissa Road Transport Corporation.
631. Shri K. C. Tripathi, Joint Director of Health Services & Family Planning.
632. Shri N. C. Mishra, Deputy Director of Industries, Cuttack.
633. Shri B. C. Acharya, Labour Welfare Officer, Orissa Construction Corporation Ltd., Bhubaneswar.
634. Shri P. K. Jena, Secretary, Orissa Construction Corporation Ltd., Bhubaneswar.
635. Dr. P. C. Mohanty, Administrative Medical Officer, Employees State Insurance Corporation.
636. Shri U. N. Mishra, Superintendent, Orissa Government Press, Cuttack.
637. Shri S. Mumtaz Ali, Additional Chief Engineer (Road and Building).
638. Shri C. Mishra, Director, Bureau of Statistics and Economics, Cuttack.
639. Shri D. Satpathy, Joint Director of Agriculture (Administration), Bhubaneswar.
640. Shri S. R. Dash, Labour Welfare Officer, Orissa State Electricity Board, Bhubaneswar.
641. Shri Ramesh Chandra Mishra, District Labour Officer, District Keonjhar.
642. Shri V. S. Sachdev, Works Manager, Indian Aluminium Co. Ltd., Hirakud.
643. Shri P. V. Jacob, General Superintendent, Indian Aluminium Co. Ltd., Hirakud.
644. Shri S. Misra, Personnel Superintendent, Indian Aluminium Co. Ltd., Hirakud.
645. Shri K. J. Peters, Commercial Superintendent, Indian Aluminium Co. Ltd., Hirakud.
646. Shri J. M. Dhawan, Area General Manager, Dera Colliery Talcher, National Coal Development Corporation Ltd.
647. Shri A. Pani, Deputy Superintendent, Dera Colliery Talcher, National Coal Development Corporation Ltd.
648. Shri A. N. Sirkar, Labour Welfare Officer, Dera Colliery Talcher, National Coal Development Corporation Ltd.
649. Shri K.V.N. Panda, Administrative Officer, Dera Colliery Talcher, National Coal Development Corporation Ltd.
650. Shri M. V. Madiman, Deputy General Manager, Rourkela Steel Plant.
651. Shri A. K. Moitra, Assistant Personnel Manager, Rourkela Steel Plant.
652. Shri C. M. Mohapatra, Chief Welfare Officer, Rourkela Steel Plant.
653. Shri S. S. Parida, Senior Personnel Officer, Rourkela Steel Plant.
654. Shri B. Panda, Personnel Officer, Rourkela Steel Plant.
655. Shri S. K. Bishnoi, Public Relations Officer, Rourkela Steel Plant.
656. Shri R. B. Singhdeo, Social Welfare Officer, Rourkela Steel Plant.
657. Shri D. D. Sharan, Senior Mining Engineer, Rourkela Steel Plant.
658. Shri R. C. Mohanty, Manager, Purnapani Lime Stone Quarry, Purnapani.
659. Shri R. S. Sastry, Superintendent, M/s. Bisra Stone Lime Co. Ltd., Birmittapur.
660. Shri R. N. Mukherjee, Assistant Superintendent, M/s. Bisra Stone Lime Co. Ltd., Birmittapur.
661. Shri M. S. Vig, Chief Planning & Methods Engineer, M/s. Bisra Stone Lime Co. Ltd., Birmittapur.
662. Shri G. N. Panda, Welfare Officer, M/s. Bisra Stone Lime Co. Ltd., Birmittapur.
663. Shri A. S. Naidu, Welfare Officer, M/s. Bisra Stone Lime Co. Ltd., Birmittapur.
664. Shri P. K. Mohanty, Welfare Officer, M/s. Bisra Stone Lime Co. Ltd., Birmittapur.
665. Shri T. C. Patnaik, Welfare Officer, M/s. Bisra Stone Lime Co. Ltd., Birmittapur.
666. Shri S. K. Patnaik, Welfare Officer, M/s. Bisra Stone Lime Co. Ltd., Birmittapur.
667. Shri R. C. Patnaik, Patnaik Industries, Bhubaneswar.
668. Shri R. K. Mohapatro, Orissa Textile Mills Ltd., Cuttack.
669. Shri S. K. Dutta, General Manager, Orissa Textile Mills Ltd., Cuttack.
670. Shri Gobind Chandra Mishra, Orissa Textile Mills Ltd., Cuttack.
671. Shri B. B. Ghosh, Orissa Textile Mills Ltd., Cuttack.
672. Shri B. Mohanty, Chairman, Orissa Rice Mills Association, Bhubaneswar.
673. Shri B. Q. N. Swami, Office Secretary, Mill Owners' Association, Cuttack.
674. Shri R. K. Samantrai, M.L.A., (H.M.S.), Rourkela.

675. Shri L. N. Behera, Rourkela Mazdoor Sabha (H.M.S.).
676. Shri Jagdish Nag, Rourkela Mazdoor Sabha (H.M.S.).
677. Shri H. M. Das, Rourkela Mazdoor Sabha (H.M.S.).
678. Shri B. Jena, Rourkela Workers' Union, (U.T.U.C.).
679. Shri K. Chandra, Hindustan Steel Workers' Association, (I.N.T.U.C.), Rourkela.
680. Shri N. Mohanty, Hindustan Steel Workers' Association, (I.N.T.U.C.), Rourkela.
681. Shri H. L. Dutta, Gangpur Labour Union (I.N.T.U.C.), Birmitrapur.
682. Shri K. N. Pathak, Gangpur Labour Union (I.N.T.U.C.), Birmitrapur.
683. Shri R. D. Pandey, Gangpur Labour Union (I.N.T.U.C.), Birmitrapur.
684. Shri H. Topno, Gangpur Labour Union (I.N.T.U.C.), Birmitrapur.
685. Shri R. K. Samantrai, M.L.A., General Secretary, Hind Mazdoor Sabha, Orissa Branch, Cuttack.
686. Shri R. N. Das, General Secretary, Orissa Road Transport Employees' Union, Berrampur.
687. Shri A. M. Patnaik, President, Orissa State Electricity Board Work Charged Employees' Union, Bhubaneshwar.
688. Shri Bhagwat Bahera, General Secretary, Orissa Textile Mills Sramik Union, Cuttack.
689. Shri K. C. Patro, Vice President, Orissa Government Press Employees' Union, Cuttack.
690. Shri D. B. Misra, Dera Colliery Labour Union, Talcher.
691. Shri A. C. Patra, Deulbera Colliery Labour Union, N.C.D.C. Workers' Association "South Balanda Colliery", Talcher.
692. Shri P. K. Mohanty, General Secretary, All Orissa Motor Transport Employees' Federation, Bhubaneshwar.

PUNJAB

693. Shri S. P. Dang, Minister for Food and Local Self Government.
694. Shri Krishan Lal, Labour, Employment and Parliamentary Affairs Minister.
695. Shri Piara Ram Dhanowali, Welfare and Housing Minister.
696. Shri I. C. Puri, Secretary, Department of Labour and Employment.
697. Shri P. L. Sondhi, Labour Commissioner.
698. Shri H. R. Singh, Joint Labour Commissioner.

699. Shri Sham Lal, Deputy Labour Commissioner.
700. Shri Joginder Singh, Assistant Labour Commissioner.
701. Shri M. L. Trighatia, Under Secretary, Department of Labour and Employment.
702. Shri Chaman Lal, Statistical Officer, (Labour).
703. Shri P. P. Shukla, Labour and Conciliation Officer, Amritsar.
704. Shri Attar Singh Talabgar, Labour and Conciliation Officer, Jullundur.
705. Shri S. L. Nanda, Labour and Conciliation Officer, Chandigarh.
706. Shri D. R. Singal, Chief Engineer, Punjab Public Works Department, Public Health Branch, Patiala.
707. Shri A. S. Pannu, Executive Engineer, Punjab Public Works Department, Public Health Branch, Patiala.
708. Shri S. P. Mehrotra, Regional Provident Fund Commissioner (Central).
709. Shri Narinder Singh, Information Officer.
710. Shri W. C. Anand, General Manager, The Janta Cooperative Sugar Mills, Bhogpur, Jullundur District.
711. Shri M. M. Dargan, Chief Chemist, Sugar Factory, Bhogpur, Jullundur District.
712. Shri Shyam Singh Choulou, Bhartiya Mazdoor Sangh.
713. Shri Om Prakash Agbi, Bhartiya Mazdoor Sangh.

RAJASTHAN

714. Shri Brij Sunder Sharma, Labour Minister.
715. Shri J. S. Mehta, Labour Secretary.
716. Shri N. B. Sadasukhi, Deputy Secretary, Irrigation, Power and Planning and Public Works Department, Government of Rajasthan, Jaipur.
717. Shri N. K. Joshi, Labour Commissioner.
718. Shri T. C. Jain, Joint Labour Commissioner.
719. Shri L. D. Chaturvedi, Deputy Labour Commissioner.
720. Shri R. P. Bhartaria, Regional Labour Commissioner (C), Ajmer.
721. Shri Nemi Chand Jain, Regional Assistant Labour Commissioner.
722. Shri K. D. Sharma, Labour Enforcement Officer (C), Bhilwara.
723. Shri Balbir Singh, Labour Enforcement Officer (Central).

724. Shri P. D. Joshi, Assistant Labour Commissioner.
725. Shri Mohinder Joshi, Labour Commissioner, Jodhpur.
726. Shri H. R. Paliwal, Chief Inspector of Factories and Boilers.
727. Shri U. M. Patni, Regional Provident Fund Commissioner, Jaipur.
728. Dr. O. C. Mathur, Deputy Director, Medical and Health, (Employees State Insurance Scheme).
729. Shri Surjit Singh, Regional Director of Employees State Insurance Corporation, Jaipur.
730. Shri K. N. Sinlote, Administrative Officer, Employees State Insurance Scheme, Jaipur.
731. Shri Yadav Mohan, Chairman, Rajasthan Canal Projects, Jaipur.
732. Shri Hari Singh, Chief Engineer, Rajasthan Canal Projects, Jaipur.
733. Shri D. M. Mansharamani, Superintending Engineer, Rajasthan Canal Projects, Jaipur.
734. Shri N. N. Asopa, Labour Welfare Officer, Rajasthan Canal Projects, Jaipur.
735. Shri Shiv Dayal, Executive Engineer, Rajasthan Canal Project, Jaipur.
736. Shri Rishi Prasad Gupta, Assistant Engineer, Rajasthan Canal Project, Jaipur.
737. Shri B. Hooja, Secretary and Commissioner, State Enterprises, Government of Rajasthan, Jaipur.
738. Shri P. B. Mathur, Secretary, Rajasthan State Electricity Board, Jaipur.
739. Shri B. S. Jha, Assistant Engineer, Rajasthan State Electricity Board, Jaipur.
740. Shri Jiv Ram Bhatt, Additional Chief Engineer, Rajasthan State Electricity Board, Jaipur.
741. Shri Narayan Ji Mishra, Personnel Officer, Rajasthan State Electricity Board, Jaipur.
742. Shri Ramesher Prasad Sharma, Labour Welfare Officer, Chambel Project, Kota.
743. Shri H. S. Bakshi, Assistant Director, Local Bodies, Jaipur.
744. Shri Ghera Lal Mathur, Personnel Officer, Irrigation Department.
745. Shri Ram Pal Perihar, Deputy Registrar, Cooperatives.
746. Shri Raghu Nandan, Senior Supervisor, Cooperative Department.
747. Shri Bhagwati Lal, Executive Officer, Public Works Department, Jaipur.
748. Shri Baikunth Nath, Assistant Director of Agriculture, Jaipur.
749. Shri R. C. Bhargava, Assistant Mining Engineer, Mining Department, Mahesana.
750. Shri H. S. Choudhury, Mines Foreman, Department of Mines, Markana.
751. Shri S. K. Moitra, Deputy General Manager, Railway Workshop Ajmer.
752. Shri Anand Prakash, Senior Personnel Officer, Railway Workshop, Ajmer.
753. Shri H. E. Bozalt, Works Manager (Loco), Railway Workshop, Ajmer.
754. Shri C. Prasad, Secretary, Mica Mines Labour Welfare Board, Rajasthan.
755. Shri Shankar Lal, Gardens Department, Udaipur.
756. Shri Lal Shankar, Inspector Gardens, Udaipur.
757. Shri Girraj Singh, Executive Engineer, Department of Irrigation, Udaipur.
758. Shri Nand Lal Mathur, Commissioner, Municipal Council.
759. Shri Goverdami, Central Statefarm, Suratgarh.
760. Shri M. K. Sakhri, Central State farm, Suratgarh.
761. Shri R. N. Wadhwa, A.I.E., Central Statefarm Suratgarh.
762. Shri Mohan Singh, Bhavnagar Adhikshak, Udaipur.
763. Shri S. R. Bose, General Manager, Sambhar Salts Ltd., Sambhar Lake.
764. Shri R. P. Sikka, Labour Officer, Sambhar Salts Ltd., Sambhar Lake.
765. Shri E. K. Sarma, Superintendent, Sambhar Salts Ltd., Sambhar Lake.
766. Shri J. C. Vohra, Superintendent (Sales), Sambhar Salts Ltd., Sambhar Lake.
767. Shri P. R. Bose, General Manager, Sambhar Salts Ltd., Sambhar Lake.
768. Shri Madan Mohan Sharma, Chief Administrative Officer and Personnel Officer, Instruments Factory Ltd., Kota.
769. Shri V. S. Bhatnagar, Chief Personnel Officer, Hindustan Zinc Ltd., Udaipur.
770. Shri K. C. Bakiwala, Rajasthan Chamber of Commerce and Industry, Johri Bazar, Jaipur.
771. Shri V. N. Soral, Employees' Association of Rajasthan, Jaipur.
772. Shri D. P. Sharma, Employees' Association of Rajasthan, Jaipur.
773. Shri D. Ravindran, Rajasthan Textile Mills Association, Jaipur.
774. Shri M. L. Bhartia, Rajasthan Textile Mills Association, Jaipur.
775. Shri Upendra Sanghi, Rajasthan Textile Mills Association, Jaipur.

776. Shri Naresh Chandra Bansal, Palana Colliery.
777. Shri H. P. Chaudhury, Bikaner Gypsum Ltd.
778. Shri Fatah Singh Jhala, Personnel Officer, Mewar Textile Mills Ltd., Bhilwara.
779. Shri Vishan Singh Yadav, Office Superintendent, Mewar Textile Mills, Bhilwara.
780. Shri Asha Ram Sharda, Factory Manager, Rajasthan Spinning & Weaving Mills, Bhilwara.
781. Shri Man Singh, Rajasthan Industrial and Mining Association, Bhilwara.
782. Shri Shyam Sunder, Rajasthan Industrial and Mining Association, Bhilwara.
783. Shri S. M. Khan, Advocate, Makrana Marble Common Society, Makrana.
784. Shri J. H. Kabra, Makrana Marble and Stone Co., Makrana.
785. Shri S. R. Rathe, Prop., Sitaram Rathi & Co., Makrana.
786. Shri G. L. Swami, Prop., Kamal Marble Factory, Makrana.
787. Shri Mangilal, Factory Supervisor, Makrana.
788. Shri Moniddin, Factory S. Chhote Gulalji & Co., Makrana.
789. Shri R. S. Agrawal, Internal Auditor, Udaipur Distillery Co. Pvt. Ltd., Udaipur.
790. Shri M. G. Somani, Personnel Officer, Udaipur Distillery Co. Pvt. Ltd., Udaipur.
791. Shri C. L. Sharma, President, Kendriya Krishi Yantrik Farm Mazdoor Union, Suratgarh.
792. Shri Satyapal Yamak, General Secretary, Kendriya Krishi Yantrik Farm Mazdoor Union, Suratgarh.
793. Shri Mohinder Singh, Kendriya Krishi Yantrik Farm Mazdoor Union, Suratgarh.
794. Shri Nihauluddin, Kendriya Krishi Yantrik Farm Mazdoor Union, Suratgarh.
795. Shri Phool Singh, Kendriya Krishi Yantrik Farm Mazdoor Union, Suratgarh.
796. Shri Onkar Nath, Kendriya Krishi Yantrik Farm Mazdoor Union, Suratgarh.
797. Shri Bachan Singh, Kendriya Krishi Yantrik Farm Mazdoor Union, Suratgarh.
798. Shri Virender Singh, Kendriya Krishi Yantrik Farm Mazdoor Union, Suratgarh.
799. Shri Sunder Singh, Kendriya Krishi Yantrik Farm Mazdoor Union, Suratgarh.
800. Shri Maharaj Singh Bisht, Kendriya Krishi Yantrik Farm Mazdoor Union, Suratgarh.
801. Shri Nichatar Singh, Rajasthan Rashtriya Mazdoor Union, Suratgarh.
802. Shri Arjun Singh, Rajasthan Rashtriya Mazdoor Union, Suratgarh.
803. Shri Raj Kumar, Rajasthan Rashtriya Mazdoor Union, Suratgarh.
804. Shri Vachan Singh, Rajasthan Rashtriya Mazdoor Union, Suratgarh.
805. Shri S. M. Johry, Rajasthan Rashtriya Mazdoor Union, Suratgarh.
806. Shri Om Prakash, Rajasthan Rashtriya Mazdoor Union, Suratgarh.
807. Shri Hardayal Singh, Rajasthan Rashtriya Mazdoor Union, Suratgarh.
808. Shri Krishna Ram, Rajasthan Rashtriya Mazdoor Union, Suratgarh.
809. Shri Ramesh Chandra Vyas, M.P., President, Indian National Trade Union Congress (Rajasthan Branch), Bhilwara.
810. Shri Prahlad Rai David, P.W.D. Workers' Sangh, Bhilwara.
811. Shri Nandpuri Goswami, P.W.D. Workers' Union, Bhilwara.
812. Shri Sri-Lal, Secretary Mine Labour, Bhilwara.
813. Shri Ram Singh, Secretary, P.W.D. Irrigation Union, Bhilwara.
814. Shri Naga Ram, Vice-President Mazdoor Sangh, Bhilwara.
815. Shri Nathu Lal, Member, Mill Mazdoor Sangh, Bhilwara.
816. Shri Devi Singh, Member, Mill Mazdoor Sangh, Bhilwara.
817. Shri Vishan Singh Yadav, Member, Rajasthan Production Organisation, Bhilwara.
818. Shri Mangi Mal, Member, Mill Mazdoor Sangh, Bhilwara.
819. Shri Janki Lal, Mines Worker, Bhilwara.
820. Shri Ram Singh, Mines Worker, Bhilwara.
821. Shri Ram Dayal, Municipal Worker, Bhilwara.
822. Shri Bhawar, Workers, Irrigation Department, Bhilwara.
823. Shri Jagga, Worker, Irrigation Department, Bhilwara.
824. Shri Mohan Lal, P.W.D. Workers' Organisation, Bhilwara.
825. Shri Ladhu Ram, Municipal Worker, Bhilwara.
826. Shri Shiva Lal, P.W.D. Workers' Organisation, Bhilwara.
827. Shri Mangi Ji, Machine Cutting Factory Bhilwara.

828. Shri Mangu, Machine Cutting Factory, Bhilwara.
829. Shri Viswanathan, All India Trade Union Congress, Jaipur.
830. Shri Kesh Ram, All India Trade Union Congress, Jaipur.
831. Shri Anand Prakash Sharma, Bharatiya Mazdoor Sangh, Jaipur.
832. Shri Om Prakash Gupta, Bharatiya Mazdoor Sangh, Jaipur.
833. Shri Amar Chand Pareek, Prantiya Nai Mazdoor Federation, Jaipur.
834. Shri Mohan Lal Sharma, Rajasthan Municipal Employees' Federation, Jaipur.
835. Shri Ramesh Chandra Kak, Indian National Trade Union Congress, Jaipur.
836. Smt. Shakuntala Srivastava, Member Executive Rajasthan, Indian National Trade Union Congress, Jaipur.
837. Shri Damodar Maurva, Indian National Electrical Workers' Federation, Jaipur.
838. Shri S. N. Mathur, Chemical Assistant, Salt Refining Plant, Sambhar Salts Ltd., Sambhar.
839. Shri Laxman Singh, Member, Sambhar Salts Ltd., Sambhar.
840. Shri Kishori Lal Bhasin, Assistant Secretary, Rajasthan Salt Workers' Union, Sambhar.
841. Shri Ram Chandra, Secretary, Rajasthan Lawan Production Labour Sangh, Sambhar Lake.
842. Shri Srinarayan, Vice-President, Lawan Production Labour Sangh, Sambhar Lake.
843. Shri Kishan Singh, State Roadways Workers' Union, Ajmer Branch.
844. Shri Shiv Charan Lal, State Roadways Workers' Union, Ajmer Branch.
845. Shri R. S. Chaudhry, State Roadways Workers' Union, Ajmer Branch.
846. Shri Shahjad Hashmi, State Roadways Workers' Union, Ajmer Branch.
847. Shri Deva Ram, State Roadways Workers' Union, Ajmer Branch.
848. Shri Dhana Lal, State Roadways Workers' Union, Ajmer Branch.
849. Shri Om Prakash, State Roadways Workers' Union, Ajmer Branch.
850. Shri Idu Khan, State Roadways Workers' Union, Ajmer Branch.
851. Shri Kishan Singh Bhatia, State Roadways Workers' Union, Ajmer Branch.
852. Shri Kalyan Singh, Secretary, State Roadways Workers' Union, Ajmer Branch.
853. Shri M. P. Tripathi, State Roadways Workers' Union, Ajmer Branch.
854. Shri Pooran Singh Gaherwar, Chairman, Western Railways Employees' Union (Workshop Branch), Ajmer.
855. Shri Mool Singh Deora, Secretary, Western Railways Employees' Union (Workshop Branch), Ajmer.
856. Shri Rewal Singh Gaherwar, Joint Secretary, Western Railways Employees' Union (Workshop Branch), Ajmer.
857. Shri George Philip, Chairman, Workshop Unit, Western Railway Mazdoor Sangh, Ajmer.
858. Shri Pritam Lal, Divisional Secretary, Western Railways Mazdoor Sangh, Ajmer.
859. Shri Hem Raj Lohar, Joint Secretary, Zawar Mines Mazdoor Sangh.
860. Shri B. S. Waldia, Volunteer Secretary, Zawar Mines Mazdoor Sangh.
861. Shri S. C. Jain, Joint Secretary, Zawar Mines Mazdoor Sangh.
862. Shri B. Choudhry, Zawar Mines Mazdoor Sangh.
863. Shri Shyam Behari Lal, National Water Department Workers' Sangh, Udaipur.
864. Shri R. S. Saruparia, Secretary, Rajasthan Bank Employees' Union, Udaipur.
865. Shri S. S. Kothari, Rajasthan Bank Employees' Union, Udaipur.
866. Shri S. S. Pundir, Rajasthan Employees' Union, Udaipur.
867. Shri Ram Chand, General Secretary, Rajasthan Municipal Employees' Federation, Udaipur.
868. Chaudhry Girdhari Lal, Rajasthan Municipal Employees' Federation, Udaipur.
869. Shri Bhanwarilal, Member, Rajasthan Municipal Corporation, Udaipur.
870. Shri Gobind Krishan Vyas, Pilot Milk Supply Employees' Union, Udaipur.
871. Shri Jeewan Lal Nagar, Pilot Milk Supply Employees' Union.
872. Shri Majhar Ali, Government Ayurvedic Pharmacy, Udaipur.
873. Shri Noor, President, R.S.S. Cooperative Labour and Saving Society Ltd., Sambhar.
874. Shri Hanuman, Vice-President, R.S.S. Cooperative Labour and Saving Society Ltd., Sambhar.
875. Shri R. M. Tripathi, Supervisor, R.S.S. Cooperative Labour and Saving Society Ltd., Sambhar.
876. Shri D. L. Joshi, Supervisor, R.S.S. Cooperative Labour and Saving Society Ltd., Sambhar.
877. Shri Ganga Ram, Secretary, R.S.S. Cooperative Labour and Saving Society Ltd., Sambhar.

878. Shri B. P. Swami, Social Workers & Chairman, Project Committee, Nagaur.

TAMIL NADU

879. Shri V. S. Subbiah, Joint Secretary, Industries, Labour and Health Department.
880. Shri T. V. Lakshmanaswami, B.E., M.I.E., Chief Inspector of Factories, Madras.
881. Shri K. V. Parthasarathy, Deputy Commissioner of Labour and Chief Inspector of Plantations, Madras.
882. Shri K. Sengodan, Assistant Commissioner of Labour (E&G), Madras.
883. Shri S. Ranganathan, Superintending Inspector of Factories, Madras.
884. Major R. J. W. Moses, Superintending Inspector of Factories, Madras.
885. Shri P. Lakshmanan, Labour Officer.
886. Shri C. Damodaran Nair, Inspector of Labour, Madras.
887. Shri K. Sreeramulu, Inspector of Labour, Madras.
888. Shri J. Bhagiaraj, Labour Officer.
889. Shri S. Rajasubramanian, Labour Officer.
890. Shri C. V. Narasimhan, Deputy Director of Industries and Commerce (Tamil Nadu Small Industries Corp. Ltd.).
891. Shri V. C. Chathu Menon, Secretary, Tamil Nadu Electricity Board.
892. Shri R. Seshadri, Labour Relation Officer, Tamil Nadu Electricity Board.
893. Shri T. B. Bharathi, Joint Director of Agriculture.
894. Shri R. Govindaswami, Deputy Director of Rural Development.
895. Shri M. Ramchandra Rao, Secretary, State Housing Board.
896. Shri N. Triugnanasam Bandam, Deputy Chief Engineer, Public Works Department.
897. Shri A. V. Alwar, Superintending Engineer, Public Works Department.
898. Shri A. Mothukumaraswamy, Superintending Engineer, Highways.
899. Shri S. Shanmugasundaram, General Superintendent, Public Works Workshops, Madras.
900. Shri Ram Chander, IAS, Neyveli Lignite Corporation, Neyveli.
901. Shri C. A. Cornelius, Hindustan Teleprinters, Madras.
902. Shri A. G. Sivarama Krishnana, Hindustan Photo Films Manufacturing Co.
903. Shri S. Narula, Surgical Instrument Plant, Indian Drugs & Pharmaceuticals Co. Ltd.
904. Shri Vishwanathan, Surgical Instrument Plant, Indian Drugs & Pharmaceuticals Co. Ltd.
905. Shri Ramaswamy, Surgical Instrument Plant, Indian Drugs & Pharmaceuticals Co. Ltd.
906. Shri C. M. Govindarajulu, Senior Personnel Officer, Integral Coach Factory, Madras.
907. Shri M. M. Muthiah, Association of Planters of Tamil Nadu.
908. Shri M. R. M. Punja, Association of Planters of Tamil Nadu.
909. Shri C. S. Krishnaswami, Association of Planters of Tamil Nadu.
910. Shri M. Yacoob, Beedi Factory Owners Association.
911. Shri S. Muhammed Ali, Beedi Factory Owners Association.
912. Shri A. Krishna Rao, Madras Hotels Association.
913. Shri V. Jayaraman, President, Madras Hotels Association.
914. Shri N. S. Bhat, South Indian Millowners' Association, Madras.
915. Shri K. Gopal, Coimbatore District Motor Transport Workers' Progressive Union.
916. Shri R. Rengaswamy, Indian National Trade Union Congress, Tamil Nadu Branch.
917. Shri R. Raman Nair, Nilgiris District Estate Workers' Union, (INTUC), Coonoor.
918. Shri K. R. Bellie, Nilgiris District Estate Workers' Union, (INTUC), Coonoor.
919. Shri S. M. Narayanan, Port and Dock Workers' Congress (INTUC), Madras.
920. Shri S. C. C. Anthony Pillai, Hind Mazdoor Sabha, Madras.
921. Shri Kattur Gopal, President & General Secretary of a number of Unions.
922. Shrimati M. Ketkar, President, South Indian Cinema Employees' Association, Madras.
923. Shri C. K. Natesan, Secretary, South Indian Cinema Employees' Association.
924. Dr. P. H. Daniel, Working President, The Estate Staffs Union of South India, Coonoor.
925. Shri K. Rajgopal, General Secretary, The Estate Staffs Union of South India, Coonoor.
926. Shri K. Gurumurti, Sweepers' Union, Madras.
927. Shri S. C. Krishnan, Tamilnad Electricity Workers' Federation, Madras.
928. Shri P. A. Kannayya, Papanasam Labour Union and Madurai Mills Labour Union.

929. Shri R. Sankaranarayanan, Life Insurance Agents' Federation of India, Madras.
930. Shri K. R. V. Iyer, Life Insurance Agents' Federation of India, Madras.
931. Shri G. R. Rajagopalan, Life Insurance Agents' Federation of India, Madras.
932. Shri C. L. Jain, Life Insurance Agents' Federation of India, Madras.
933. Shri S. A. Mahalingam, Southern Railway Employees Sangh, Madras.
934. Shri R. G. Sadagopan, Southern Railway Employees Sangh, Madras.
935. Shri A. Gopalan, Southern Railway Employees Sangh, Madras.
936. Shri C. S. Varadarajan, Southern Railway Employees Sangh, Madras.
937. Shri N. K. Sridhar, Southern Railway Employees Sangh, Madras.
938. Shri K. R. Durai, Southern Railway Employees Sangh, Madras.
939. Shri R. Muthubabu, Southern Railway Employees Sangh, Madras.
940. Shri T. R. Kuppuswamy, Southern Railway Employees Sangh, Madras.
941. Shri S. Bhakthavatsalu, Southern Railway Employees Sangh, Madras.
942. Shri C. C. Natesan, Southern Railway Employees Sangh, Madras.
943. Shri S. Venkataraman, Southern Railway Employees Sangh, Madras.
944. Shri S. Jesudoss, Southern Railway Employees Sangh, Madras.
945. Shri Venkataraman, Southern Railway Employees Sangh, Madras.
946. Shri M. Kulandaivel, General Secretary, Madras Provincial Motor Transport and General Workers' Federation, Madras.
947. Shri M. Adimulam, President, North Arcot District Tannery Workers' Union, Vaniyambadi.
948. Shri G. Nesaraj, Assistant Secretary, North Arcot District Tannery Workers' Union, Vaniyambadi.
949. Shri D. Vasudevan, North Arcot District Tannery Workers' Union, Vaniyambadi.
950. Shri S. Bhakthavatsalu, President, Foot Wear Workers' Union, Madras.
951. Shri P. V. Venkataraman, General Secretary, Foot Wear Workers' Union Madras.
952. Shri B. V. Pushparaj, Assistant Secretary, Foot Wear Workers' Union, Madras.
953. Shri Y. Bharadwaja, Personnel Officer, Madras Branch of Indian Association of Trained Social Workers, Madras.
954. Shri K. V. Sivasubramanian, Lecturer, Madras School of Social Work, Madras.

955. Shri R. Srinivasan, Hony. Secretary, Farmers' Forum, Madras.
956. Shri A. R. Subbiah, M.L.A., Madras.

UTTAR PRADESH

957. Shri G. K. Dhutiya, Industrial Relations Officer, Oil & Natural Gas Commission, Dehradun.
958. Brig. S. C. Vyas, Director of Administration, Oil & Natural Gas Commission, Dehradun.
959. Shri A. Mitra, Senior Deputy Director (Administration), Oil & Natural Gas Commission, Dehradun.
960. Shri G. S. Gujrat, Chief Personnel Officer, Oil and Natural Gas Commission, Dehradun.
961. Shri Mahendra Prasad, Public Relations Officer, Oil and Natural Gas Commission, Dehradun.
962. Col. Raghbir Singh, Officer-in-Charge, Aerial Delivery Detachment of Defence, Res. Laboratories, Agra.
963. Shri S. M. Mathur, Inspectorate of Metals, Muradnagar.
964. Shri Irshad Hussain Inspectorate of General Stores (D.G.I.), Shahjahanpur.
965. Shri A. K. Sharma, Labour Secretary.
966. Secretary, Industries Department, Lucknow.
967. Secretary, Public Works & Transport Department, Lucknow.
968. Deputy Secretary, Local-Self Government, Lucknow.
969. Labour Commissioner, U.P. Kanpur.
970. Civilian Labour Officer, Kanpur.
971. Chief Engineer, Public Works Department, Lucknow.
972. Deputy Transport Commissioner, Lucknow.
973. Deputy Secretary, U.P. State Education Board, Lucknow.
974. Inspector of General Stores, Ministry of Defence Production, Kanpur.
975. Chief Inspector of General Stores, Kanpur.
976. Senior Personnel Officer, U.P. State Electricity Board, Lucknow.
977. Labour Officer, U.P. State Electricity Board, Lucknow.
978. Shri D. N. Nigam, Personnel Manager, Bharat Heavy Electricals, Hardwar.
979. Director, Government Cement Factory, Churk.
980. Labour Welfare Officer, Government Cement Factory, Churk.

981. Personnel Officer, Government Cement Factory, Churk.
982. Personnel Officer, Diesel Locomotive Works, Varanasi.
983. Labour Welfare Officer, Diesel Locomotive Works, Varanasi.
984. General Manager, Benaras State Bank Ltd., Varanasi.
985. General Manager, Anti-biotics Plants, Rishikesh.
986. Shri C. P. Majila, Joint Director, State Trading Corporation, Agra.
987. Shri D. K. Agarwal, Welfare Officer, State Trading Corporation, Agra.
988. Shri Prem Harihar Lal, Secretary, Tea Planters' Association, Dehradun.
989. Shri A. Dean, Lime Stone Quarry, Dehradun.
990. Shri Mala Ram Maresh, President, Dehradun Quarry Owners' Association, Dehradun.
991. Shri C. L. Dhoram, Secretary, Dehradun Quarry Owners' Association, Dehradun.
992. Shri R. K. Agarwala, Secretary, Banaras Employers' Association, Varanasi.
993. Shri M. R. Suri, Manager, Ramkola Sugar Mills Co. Ltd., Ramkola, District Deoria.
994. Shri S. C. Gour, Welfare Officer, K. M. Sugar Mills, Faizabad.
995. Dr. K. P. Agarwal, Secretary, Employers' Association of Northern India, Kanpur.
996. Shri B. S. Agarwal, J. K. Organisation, Kanpur.
997. Shri D. N. Bansal, J. K. Organisation, Kanpur.
998. Shri G. R. Ginns, Lal Imli (Woollen) Mills, Kanpur.
999. Shri A. G. Basu, Lal Imli (Woollen) Mills, Kanpur.
1000. Shri K. V. Nagaith, Lal Imli (Woollen) Mills, Kanpur.
1001. Shri S. D. Singh, Lal Imli (Woollen) Mills, Kanpur.
1002. Shri J. K. Bhagat, Lal Imli (Woollen) Mills, Kanpur.
1003. Dr. G. P. Verma, Lal Imli (Woollen) Mills, Kanpur.
1004. Shri Ram Singh, General Manager, Singh Engineering, Kanpur.
1005. Shri Joginder Singh, Technical Manager, Singh Engineering, Kanpur.
1006. Shri Amrik Singh, Labour Officer, Singh Engineering, Kanpur.
1007. Shri D. D. Paliwal, Office Secretary, Churi Utpadak Sangh, Ferozabad.
1008. Shri Harbhajan, Chudi Glass Works, Ferozabad.
1009. Shri Balkrishan Goel, Shiv Glass Works, Ferozabad.
1010. Shri Jagadish Upadhya, Jagadish Glass Works, Ferozabad.
1011. Shri Triloki Nath, Haji Glass Mirza Glass, Ferozabad.
1012. Shri D. B. Gull, Vice-President, Glass Bangle Merchants Chamber, Ferozabad.
1013. Shri K. D. Agarwal, Capritan Chemical Glass Works, Ferozabad.
1014. Shri Suresh Chandra Agarwal, The Amrit Glass Works, Ferozabad.
1015. Shri Ram Niwas, Shri Friends Glass Works, Ferozabad.
1016. Shri Syed Farooq Ali, Infra Glass Works, Ferozabad.
1017. Shri Krishna Murari, Shri Savita Glass Works, Ferozabad.
1018. Shri Mangat Ram, Bharat Shoe Factory, Agra.
1019. Shri Ram Prasad, Bharat Shoe Factory, Agra.
1020. Shri Satish Chand Gupta, President, National Chamber of Industries and Commerce, U.P., Agra.
1021. Shri M. M. Agarwal, Secretary to the Chamber of Industries and Commerce, U.P., Agra.
1022. Shri B. N. Khandelwal, President, Agra Industrial Estate Factory Owners' Association.
1023. Shri Jagdish Prasad Agarwal, Prop., Educational Press, Agra.
1024. Shri I. M. Mehta, Prop., Steel Gate and Piston Rings Industries, Agra.
1025. Shri S. S. Khandelwal, Manager, G. G. Industries, Agra.
1026. Shri Prem Chand, Manager, B. P. Oil Mills, Agra.
1027. Shri N. L. Varshney, Central Scientific Instrument, Agra.
1028. Shri Bhola Nath Tewari, Representatives of Workers.
1029. Shri Raghuvir Prasad, Representatives of Workers.
1030. Shri Shanker Lal, Representatives of Workers.
1031. Shri Murari Lal, Representatives of Workers.
1032. Shri Amar Nath, Representatives of Workers.
1033. Smt. Dularo, Representatives of Workers.
1034. Shri Dwarka Nath Malhotra, Representative of Workers.
1035. Shri S. L. Saxena, Sugar Employee.

1036. Shri B. K. Mukherjee, Transport Worker.
1037. Shri Harish Tewari, All India Trade Union Congress.
1038. Shri S. P. Awasthi, Textile Worker.
1039. Shri Bajpai, L.I.C. Worker.
1040. Shri Chandra Shekhar Sharma, Kanch Udyog Sangh, Ferozabad.
1041. Shri Muni Ram Yadav, President, Jain Glass Works, Mechanical Workers' Union, Ferozabad.
1042. Shri Purshotam Deo Sharma, Vice-President, Jain Glass Works Mechanical Workers' Union, Ferozabad.
1043. Shri Danesh Kumar Nirala, Joint Secretary, Jain Glass Works Mechanical Workers' Union, Ferozabad.
1044. Shri S. C. Dutta, Oil & Natural Gas Commission, Dehradun.
1045. Shri Gurbachan Singh, Oil & Natural Gas Commission, Dehradun.
1046. Shri A. Rashid, Agra Electric Supply Workers' Union.
1047. Shri Babu Lal Sharma, Agra Electric Supply Workers' Union.
1048. Shri Akram Ashari, Agra Electric Supply Workers' Union.
1049. Shri Ram Singh Saluja, Agra Electric Supply Workers' Union.
1050. Shri V. N. Tyagi, Agra Electric Supply Workers' Union.
1051. Shri Raja Mohan Arora, Provincial Secretary, Bhartiya Mazdoor Sangh, Uttar Pradesh.
1052. Master Man Singh, Republican Charm Kalakar Sangh.
1053. Shri L. K. Vadavandu, Republican Charm Kalakar Sangh.
1054. Shri Kishori Lal, Republican Charm Kalakar Sangh.
- OTHERS**
1055. Shri Kanwar Bahadur.
1056. Shri J. C. Dixit.
1057. Shri B. D. Shukla.
1058. Shri Maqbool Ahmad.
1059. Shri Kashi Nath Pandey.
1060. Shri H. M. Saraswat, Welfare Officers Association, Kanpur.
1061. Shri Om Prakash Misra, Welfare Officers' Association, Kanpur.
1062. Shri O. P. Gupta, Welfare Officers' Association, Kanpur.
- WEST BENGAL**
1063. Shri M. M. Kusari, Labour Secretary.
1064. Shri D. Chatterjee, Joint Secretary.
1065. Shri M. R. Majumdar, Assistant Secretary, Labour Department.
1066. Shri B. K. Chatterjee, Labour Commissioner.
1067. Shri S. N. Chaudhury, Chief Inspector of Factories.
1068. Smt. I. De, Deputy Labour Commissioner.
1069. Shri A. Kar, Administrative Medical Officer, Employees State Insurance Corporation, West Bengal.
1070. Shri M. L. Bhaumik, Special Officer, Employees State Insurance Corporation, West Bengal.
1071. Shri S. Narayan, Regional Director, Employees State Insurance Corporation, West Bengal.
1072. Shri G. H. Doai, Deputy Regional Provident Fund Commissioner.
1073. Shri S. S. Chatterjee, Assistant Provident Fund Commissioner, West Bengal.
1074. Shri O. P. Malhotra, Labour Officer, Small Arms Rifle Factory, Ichapur.
1075. Shri R. S. Khandpur, Labour Officer, Small Arms Rifle Factory, Ichapur.
1076. Shri M. L. Agarwal, Principal Seamen Welfare Officer.
1077. Shri S. S. Garg, Joint Secretary, Coal Board.
1078. Shri S. K. Roy, Chief Labour Officer, Calcutta State Transport Corporation.
1079. Shri S. S. Kanoria, Indian Chamber of Commerce, Calcutta.
1080. Shri P. M. Dutta, Indian Chamber of Commerce, Calcutta.
1081. Shri M. Shaw, Bharat Chamber of Commerce and Industries.
1082. Shri P. Bhattacharya, Indian Engineering Association, Calcutta.
1083. Shri S. K. Sen, Indian Engineering Association, Calcutta.
1084. Shri K. Mukherjee, Indian Jute Mills Association.
1085. Shri B. D. Kanoria, Bharat Chamber of Commerce.
1086. Shri T. K. Jagdeesh, Bharat Chamber of Commerce.
1087. Shri S. Kar, Bharat Chamber of Commerce.
1088. Shri L. R. Das Gupta, Bharat Chamber of Commerce.
1089. Shri S. B. Sarkar, Bharat Chamber of Commerce.
1090. Shri R. L. Moitra, Indian Jute Manufacturing Association.
1091. Shri R. P. Goenka, Indian Jute Manufacturing Association.

1092. Shri James Jonson, Indian Mine Owners' Association.
1093. Shri A. K. Nangundkar, Indian Mine Owners' Association.
1094. Shri R. Lall, Indian Mine Owners' Association.
1095. Shri C. J. N. Will, Indian Tea Association, Calcutta.
1096. Shri P. S. Parr, Indian Tea Association, Calcutta.
1097. Shri R. K. Manglik, Calcutta Retail Dealers Samiti.
1098. Shri S. C. Ghosh, Calcutta Retail Dealers Samiti.
1099. Shri S. Biswas, Federation of Small, Medium Industries, West Bengal.
1100. Shri S. Chakraborty, Federation of Small, Medium Industries, West Bengal.
1101. Shri Tushar Chakraborty, Welfare Officer, Bata Shoe Company.
1102. Shri B. N. Chakraborty, Labour Adviser, Bata Shoe Company.
1103. Shri B. S. Choudhury, Deputy Personnel Manager, Bata Shoe Company.
1104. Shri J. N. Bek, Factory Manager, Bata Shoe Company.
1105. Shri A. N. Bannerjee, Personnel Officer, Bata Shoe Company.
1106. Shri S. Bannerjee, Superintendent Personnel, Bata Shoe Company.
1107. Lt. Col. (Retd.) Amar Sen, Estate Officer, Bata Shoe Company.
1108. Shri Kali Mukherjee, Member, Indian National Trade Union Congress.
1109. Shri Nirmal Banerji, Member, Indian National Trade Union Congress.
1110. Shri G. P. Bose, Member, Indian National Trade Union Congress.
1111. Shri Jatin Chakraborti, Secretary, United Trade Union Congress.
1112. Shri Subhash Roy, Member, United Trade Union Congress.
1113. Shri Amal Manna, Member, United Trade Union Congress.
1114. Shri Prasanta Saha, Member, United Trade Union Congress.
1115. Shri Sadhan Das Gupta, Member, United Trade Union Congress.
1116. Shri Jayoti Moy Das, Member, United Trade Union Congress.
1117. Shri Gour Saha, Member, United Trade Union Congress.
1118. Shri Satyadeb Singh, Member, United Trade Union Congress.
1119. Shri K. D. N. Ray, Member, United Trade Union Congress.

1120. Shri Jogesh Parhmanik, Member, Bata Mazdoor Union.
1121. Shri Ravindra Nath Singh, Bata Mazdoor Union.
1122. Shri Dharmi Kumar Dass, Bata Mazdoor Union.
1123. Shri Gopal Bhattacharjee, Bata Mazdoor Union.
1124. Shri Anil Baran Dutta, Bata Mazdoor Union.
1125. Shri Sailen Paul, Bata Mazdoor Union.
1126. Shri Sachi Nandan Bannerjee, Bata Mazdoor Union.
1127. Dr. S. Ghose, Economist, Jadavpur University, Calcutta.

UNION TERRITORY OF CHANDIGARH

1128. Shri M. S. Randhawa, Chief Commissioner.
1129. Shri Daljit Singh, Finance Secretary.
1130. Shri Hoshier Singh, D.C.-cum-Labour Commissioner.
1131. Shri L. C. Dharmani, General Manager, Transport Undertaking, Chandigarh.
1132. Shri I. K. Saran, Executive Engineer, Public Health Division.
1133. Shri Balwant Singh, Labour Inspector.
1134. Shri H. S. Gill, Conciliation Officer.
1135. Shri B. K. Mehar, New Capital Industries.
1136. Shri R. K. Saboo, Groz-Beckert Saboo Ltd.
1137. Shri Joginder Singh, Deputy Secretary, Northern India Chamber of Commerce and Industry.
1138. Shri N. S. Chohan, General Secretary, Government Press Workers' Union.
1139. Shri Surjeet Singh, General Secretary, Punjab Workcharge Union (INTUC).
1140. Shri Ram Nath Chouhan, General Secretary, Capital Technical Workers' Union (INTUC).
1141. Shri Giyan Raj Gupta, General Secretary, Punjab Government Maintenance Workers' Union, (INTUC).
1142. Shri Janak Raj Khillan, General Secretary, Punjab Government Mechanical Workers' Union.
1143. Shri Kuldip Singh, C.T.U. Workers' Union.
1144. Shri Satya Pal, C.T.U. Workers' Union.
1145. Shri Mohan Singh, President, Punjab State Warehousing Corporation Employees Union.
1146. Shri Sukhbir Singh, Punjab State Warehousing Corporation Employees' Union.
1147. Shri Jarnail Singh, Secretary, Punjab Government Workers' Union, Chandigarh.

1148. Shri B. Dogra, Secretary, Bhartiya Mazdoor Sangh, Chandigarh.

1149. Shri P. B. Sahai, General Secretary, Punjab Warehousing Corporation.

UNION TERRITORY OF DELHI

1150. Shri A. C. Shubh, Executive Councillor, Delhi, Metropolitan Council.

1151. Shri R. K. Ahuja, Labour Commissioner and Labour Secretary.

1152. Shri Harcharan Singh, Assistant Labour Commissioner.

1153. Shri S. D. Bharadwaj, Welfare Officer.

1154. Shri M. C. Tandon, Joint Director of Transport Department.

1155. Shri Iqbal Singh, Development Commissioner.

1156. Shri L. N. Saklani, Director of Industries.

1157. Shri M. L. Bhatt, Community Project Officer.

1158. Shri G. C. Sood, Deputy Director of Industries.

1159. Shri K. C. Bhalla, Secretary, the National.

1160. Industrial Development Corporation Ltd., Udyog Bhawan, New Delhi.

1161. Shri J. M. Raina, I.A.S., General Manager, Delhi Electric Supply Undertaking.

1162. Shri Amar Nath, Assistant General Manager, Delhi Electric Supply Undertaking.

1163. Shri A. N. Sharma, Labour Officer, Delhi Transport Undertaking.

1164. Col. K. K. Chandran, Managing Director, Ashoka Hotel & Janpath Hotel.

1165. Shri Ved Leekha, Personnel Officer, Ashoka Hotel.

1166. Shri A. S. Metharusan, Personnel Officer, Hindustan Insecticides Ltd., New Delhi.

1167. Shri A. S. Tyagi, Personnel Officer, Hindustan Insecticides Ltd., New Delhi.

1168. Dr. R. S. Hemsagar, General Superintendent, Hindustan Insecticides Ltd., New Delhi.

1169. Shri A. R. Venkataraman, Chairman & Managing Director, National Projects Construction Corporation.

1170. Shri R. P. S. Puri, Administrative Officer, National Projects Construction Corporation.

1171. Shri J. Durai Raj, Managing Director, Hindustan Housing Factory, New Delhi.

1172. Shri V. D. Bakshi, Personnel Officer, Hindustan Housing Factory, New Delhi.

1173. Shri M. L. Batra, Labour Officer, Hindustan Housing Factory, New Delhi.

1174. Shri R. C. Gupta, Deputy Secretary, Indian Drugs & Pharmaceuticals, Ltd., New Delhi.

1175. Shri Manohar Lal, Industrial Relation Officer, Swatantra Bharat Mills, Delhi.

1176. Shri O. D. Sharma, Chief Labour Officer, Delhi Cloth Mills, Delhi.

1177. Shri N. K. Mahajan, Labour Officer, Delhi Cloth Mills, Delhi.

1178. Shri M. Fakharuddin, Divisional Manager, Hamdard (Waqf) Laboratories, Delhi.

1179. Shri S. Hassija, Labour Laws Adviser, Hamdard (Waqf) Laboratories, Delhi.

1180. Shri A. A. Kidwai, Accounts Adviser, Hamdard (Waqf) Laboratories, Delhi.

1181. Shri S. M. A. Hashimi, Estt. Officer, Hamdard (Wakf) Laboratories, Delhi.

1182. Shri Brij Bhushan Sharan, President, Delhi Hindustan Mercantile Association.

1183. Shri Ganpat Rai, Hony. Secy., Delhi Hindustan Mercantile Association.

1184. Shri R. K. Tandon, Assistant Secretary, Delhi Hindustan Mercantile Association.

1185. Shri Baij Nath Singhanian, Member, Delhi Hindustan Mercantile Association.

1186. Shri Ratan Chand Mehra, Member, Delhi Hindustan Mercantile Association.

1187. Shri Rajendra Gupta, Member, Delhi Hindustan Mercantile Association.

1188. Shri P. R. Mittal, Honorary General Secretary, United Chamber of Trade Association.

1189. Shri R. C. Kashyap, President, Okhla Industrial Estate Association.

1190. Shri Krishan Kumar, Honorary General Secretary, Okhla Industrial Estate Association.

1191. Shri O. N. Sharma, Member, Okhla Industrial Estate Association.

1192. Shri D. B. Gupta, Honorary Secretary, Federation of Indian Traders' Association.

1193. Shri D. Y. Ahuja, Member, Federation of Indian Traders' Association.

1194. Shri P. S. Verma, President, New Delhi Trade Employees' Association, New Delhi.

1195. Shri K. L. Bahl, General Secretary, New Delhi Trade Employees' Association, New Delhi.

1196. Shri T. M. Gupta, Member, New Delhi Trade Employees' Association, New Delhi.

1197. Shri O. P. Duggal, Member, New Delhi Trade Employees' Association, New Delhi.

1198. Shri O. P. Verma, President, Delhi Branch of Indian National Trade Union Congress.

1199. Shri I. K. Trehan, Organising Secretary, INTUC, Delhi Pradesh and Member of Metropolitan Council, Delhi.
1200. Shri Prithvinath Bhargava, General Secretary, Delhi Branch, Indian National Trade Union Congress.
1201. Shri Gurdas Ram, Vice President, Delhi Municipal Workers' Sangh, New Delhi.
1202. Shri Suraj Bhan, Member, Delhi Municipal Workers' Sangh, New Delhi.
1203. Shri Jai Bhagwan Sharma, Vice President, Bhartiya Mazdoor Sangh.
1204. Shri Sukh Dev Singh, President, Hindustan Housing Factory Employees' Union.
1205. Shri Narayan Singh, Vice President, Hindustan Housing Factory Employees' Union.
1206. Shri Tapsi, Joint Secretary, Hindustan Housing Employees' Union.
1207. Shri Tek Ram, Member, Hindustan Housing Factory Employees' Union.
1208. Shri D. V. S. Tyagi, Vice-President, Hindustan Insecticides Employees' Union.
1209. Shri J. R. Narang, General Secretary, Hindustan Insecticides Employees' Union.
1210. Shri R. Parthasarathi, Executive Secretary, National Committee for Gandhi Centenary, Rajghat Colony, New Delhi.
1211. Shri N. C. Sanyal, Vice President, Association of Central Government Labour Welfare Officer.
1212. Shri G. C. Asnani, General Secretary, Association of Central Government Labour Welfare Officer.
1213. Shri M. L. Batra, Organising Secretary, Association of Central Government Labour Welfare Officer.
1214. Shri R. C. Sharma, Joint Secretary, Association of Central Government Labour Welfare Officer.
1215. Shri M. P. Makhiji, Treasurer, Association of Central Government Labour Welfare Officer.
- GOA DAMAN AND DIU**
1216. Shri C. N. Bopaiah, Labour Commissioner.
1217. Shri T. T. Tayade, Deputy Chairman, Mormugao Dock Labour Board.
1218. Shri P. G. Kundaji, Traffic Manager, Mormugao Port Trust.
1219. Shri Shivkumar Dhindaw, Secretary, Mormugao Port Trust.
1220. Shri E. H. Simoes, Chairman, Mormugao Port Trust.
1221. Shri M. Dalima Leitao, President, Mormugao Stevedores Association.
1222. Shri R. S. Mallya, Goa Mineral Ore Exporters' Association, Panjim.
1223. Shri J. Goelho, Goa Mineral Ore Exporters Association, Panjim.
1224. Shri A. S. Devasthali, Chowgule & Co. (P) Ltd., Mormugao.
1225. Shri N. K. Kadam, Chowgule & Co. (P) Ltd., Mormugao.
1226. Shri G. Dogliotti, Sesagoa (P) Ltd., Panjim.
1227. Capt. E. L. Pinto, Mingao (P) Ltd., Panjim.
1228. Shri G. V. Keskar, Shanti Lal Kushaldas & Bros., Mormugao.
1229. Shri G. L. Joshi, M/s. V. N. Bandekar.
1230. Shri L. R. Ferrao, M/s. V. M. Salgaocar & Bros. (P) Ltd.
1231. Shri Shivram Ajgaonkar, Indian National Trade Union Congress, Goa.
1232. Shri George Vaz, Goa Mining Labour Welfare Union, Bardoz.
1233. Shri Mohan Nair, Goa Dock Labour Union and National Union of Sea farers of India.
1234. Shri G. D. Bhadkamker, Transport and Dock Workers' Union, Vasco-de-Gama.
1235. Shri Divakar Kakodkar, Goa Mazdoor Sabha and Goa Mining Labour Welfare Union.
1236. Shri S. N. N. Karmali, South Central Railway Employees' Sangh, Vasco-de-Gama.
1237. Shri Nicholas J. Rebello, Newspapers and Press Employees' Union (Goa), Panjim.
- HIMACHAL PRADESH**
1238. Shri Padam Dev, Minister for Forest, Industries and Labour, Simla.
1239. Shri Mengha Singh, Deputy Minister for Industries and Labour, Simla.
1240. Shri P. K. Mattoo, Secretary, Labour Department and Labour Commissioner.
1241. Shri P. L. Sehgal, Labour Officer and Chief Inspector of Factories.
1242. Shri S. L. Chauhan, Labour Inspector.
1243. Shri Nihal Singh, Superintending Engineer, Bias Sutlej Link, Project, Sundernagar.
1244. Shri O. C. Sood, Assistant (Labour).
1245. Shri M. A. Hafeez, Superintending Engineer, Himachal Pradesh Public Works Department.
1246. Shri Ram Lubhaya, Secretary, Municipal Committee Simla.
1247. Shri K. D. Khosla, Assistant Engineer (Works).
1248. Shri P. P. Srivastava, General Manager, Himachal Pradesh Transport.

1249. Shri Y. D. Sanadhya, Legal Welfare Officer, Himachal Pradesh Transport.
1250. Shri R. S. S. Kanak, Labour Officer for Government of India Press, Simla.
1251. Shri Kuldev Singh, Labour Welfare Officer, Bias Sutlej Link Project, Sundernagar.
1252. Shri J. P. Sharma, Manager, Nahan Foundry.
1253. Shri A. K. Mukherji, General Manager, Government Rosin Factory, Nahan.
1254. Shri Ishwar Das Sood, Manager, Patiala Tea Estates, Palampur.
1255. Shri Gaudi Prasad, Convenor, Himachal Pradesh, INTUC Branch.
1256. Shri Durga Singh Rathaur, General Labour Council (INTUC).
1257. Shri Bharat Mittar, President, Municipal Employees' Union, Simla (INTUC).
1258. Shri Hira Singh Pal, C.P.W.D. Workers' Union, (INTUC), Simla.
1259. Shri Gauri Nandan Sharma, General Secretary, Municipal Employees' Union, Simla.
1260. Shri Amar Singh Thakur, General Secretary, H.P. Government Press Workers' Union, Simla.
1261. Shri Sita Ram Sharma, Beas Sutlaj Link Workers' Union, Sundernagar, Himachal Pradesh.
1262. Shri Rup Ram, Vice President, H.P. Government Press Workers' Union, Simla.



APPENDIX VI(B)

**LIST OF MEMBERS OF PARLIAMENT WHO
APPEARED FOR ORAL EVIDENCE BEFORE
THE COMMITTEE**

- | | |
|--------------------------------|----------------------------|
| 1. Shri Shanti Lal Shah. | 4. Dr. Sushila Nayar. |
| 2. Shri Suraj Bhan. | 5. Shri Sita Ram Jaipuria. |
| 3. Shri Ram Swaroop Vidyarthi. | 6. Shri Balgovind Verma. |



APPENDIX VI(C)

LIST OF THE REPRESENTATIVES OF THE CENTRAL EMPLOYERS' ORGANISATIONS WHO APPEARED FOR ORAL EVIDENCE BEFORE THE COMMITTEE

1. Shri B. D. Somani, Chairman, Special Committee for Industrial Relations, All India Manufacturers' Organisation.
2. Shri Hem Chand Jain, Hony. General Secretary, Delhi State Board, All India Manufacturers' Organisation.
3. Shri G. C. Dhingra, Executive Secretary, All India Manufacturers' Organisation.
4. Shri S. C. Aggarwal, Representative of the Employers Federation of India.
5. Shri B. M. Sethi, Senior Assistant Secretary, All India Organisation of Industrial Employers.



APPENDIX VI(D)

**LIST OF THE REPRESENTATIVES OF THE
CENTRAL ORGANISATIONS OF WORKERS
WHO APPEARED FOR ORAL EVIDENCE
BEFORE THE COMMITTEE**

- | | |
|---|--|
| 1. Shri N. K. Bhatt, Indian National Trade Union Congress. | 5. Shri Satish Loomba, All India Trade Union Congress. |
| 2. Shri S. Dasgupta, Indian National Trade Union Congress. | 6. Shri M. Achuthan, All India Trade Union Congress. |
| 3. Shri K. Ramaswamy Naidu, Indian National Trade Union Congress. | 7. Shri Samarendra Kundu, M. P., Hind Mazdoor Sabha. |
| 4. Shrimati Parvati Krishnan, All India Trade Union Congress. | 8. Shri R. C. Pradhan, Hind Mazdoor Sabha. |



APPENDIX VI(E)

LIST OF REPRESENTATIVES OF CENTRAL GOVERNMENT MINISTRIES/DEPARTMENTS AND PLANNING COMMISSION WHO AP- PEARED FOR ORAL EVIDENCE BEFORE THE COMMITTEE

MINISTRY OF CIVIL AVIATION AND TOURISM

1. Shri R. C. Dutt, Secretary.
2. Shri S. K. Roy, Director General (Tourism).

MINISTRY OF COMMERCE

3. Shri S. L. Mehra, Joint Secretary.
4. Shri G. P. Pandey, Commissioner for Civil Supplies.
5. Shri K. Srinivasan, Deputy Secretary.
6. Shri S. N. Dandona, Deputy Secretary.
7. Shri H. K. Bansal, Deputy Secretary.
8. Shri Brij Raj Bahadur, Director.
9. Shri N. N. Mallan, Under Secretary.

MINISTRY OF DEFENCE

10. Shri R. B. Vaghaiwalla, Joint Secretary.
11. Shri S. Y. Ranade, Joint Secretary.
12. Shri K. V. Ramanamurthi, Deputy Secretary.

MINISTRY OF EDUCATION

13. Shri G. K. Chandiramani, Secretary.
14. Shri J. P. Naik, Adviser.
15. Shri M. V. D. Nair, Deputy Educational Adviser.
16. Shri D. N. Saxena, Assistant Educational Adviser.

MINISTRY OF FINANCE

17. Shri P. Govindan Nair, Secretary (Expenditure).
18. Shri I. G. Patel, Special Secretary.
19. Shri S. S. Shiralkar, Additional Secretary (Economic Affairs).

MINISTRY OF FOOD & AGRICULTURE

20. Shri B. Siva Raman, Secretary.
21. Shri R. N. Kaushik, Additional Economic and Statistical Adviser.

MINISTRY OF HEALTH, FAMILY PLAN- NING AND URBAN DEVELOPMENT

22. Shri R. N. Madhok, Joint Secretary.
23. Dr. J. B. Shrivastava, Additional Director General Health Services.
24. Dr. P. N. B. Kapur, Adviser.

25. Shri S. Radhakrishnan, Deputy Adviser.

26. Shri P. C. Arora, Under Secretary

MINISTRY OF HOME AFFAIRS

27. Shri Gopeshwar Nath, Chief Welfare Officer.

MINISTRY OF INDUSTRIAL DEVELOPMENT

28. Shri O. N. Misra, Officer on Special Duty.

MINISTRY OF LABOUR, EMPLOYMENT & REHABILITATION (DEPARTMENT OF LA- BOUR AND EMPLOYMENT)

29. Shri P. C. Mathew, Secretary.

30. Shri R. B. Shukla, Director, Industrial Relations.

31. Shri H. P. Duara, Director of Welfare.

32. Shri O. Venkatachalam, Chief Labour Commissioner.

33. Shri B. N. Chakravarty, Deputy Secretary.

34. Shri L. R. Varma, Joint Director.

35. Shri K. D. Hajela, Under Secretary.

36. Shri Daljit Singh, Under Secretary.

37. Shri C. R. Nair, Under Secretary.

38. Shri J. D. Tewari, Under Secretary.

39. Shri Hans Raj Chhabra, Under Secretary.

40. Shri K. C. Jaitly, Deputy Director.

41. Shri Baldev Prasad, Assistant Director.

42. Dr. D. K. Baisantray, Information Officer.

43. Shri K. Veeraraghavan, Section Officer.

44. Shri D. S. Gupta, Assistant.

DEPARTMENT OF MINES AND METALS

45. Shri N. D. Gupta, Joint Secretary.

46. Shri K. S. R. Chari, Coal Mining Adviser.

MINISTRY OF PETROLEUM & CHEMICALS

47. Shri P. R. Nayak, Secretary.

48. Shri M. Ramakrishnayya, Joint Secretary, Chemicals.

49. Shri Madhav Rajwade, Joint Secretary, Petroleum.

DEPARTMENT OF SOCIAL WELFARE

50. Shri Lal Advani, Special Officer (Handicapped).
51. Shri K. V. Ramakrishnan, Under Secretary.
52. Shri M. Subba Rao, Inspecting Officer, Central Social Welfare Board.

MINISTRY OF TRANSPORT

53. Shri S. Chakravarthi, Secretary.
54. Shri K. Narayanan, Deputy Secretary.
55. Shri K. V. Sankaran, Deputy Secretary.
56. Shri R. P. E. Vazifdar, Chief Engineer, Bombay Port Trust, Bombay.
57. Shri P. R. Subramaniam, Officer on Special Duty, Bombay Port Trust, Bombay.
58. Shri Batuk Mehta, Chief Labour Officer, Bombay Port Trust, Bombay.
59. Shri A. J. Joglekar, Assistant Director General Shipping, Bombay.
60. Shri K. Srinivasan, Managing Director, Central Road Transport Corporation and Inland Water Transport Corporation, Calcutta.

MINISTRY OF WORKS, HOUSING & SUPPLY

61. Shri Kartar Singh, Joint Secretary.
62. Shri Prabhakar Rao, Joint Secretary.
63. Shri T. N. Srivastava, Officer on Special Duty.
64. Shri N. C. Sanyal, Officer on Special Duty (Labour).
65. Shri M. L. Nanda, Engineer in Chief, Central Public Works Department.
66. Shri T. N. Bahel, Chief Controller of Printing & Stationery.
67. Shri S. L. Sarma, Controller of Administration, Printing and Stationery.
68. Shri D. Dutt, Managing Director.
69. Shri H. P. Dube, Labour Officer, National Building Construction Corporation.

PLANNING COMMISSION

70. Dr. D. K. Malhotra, Joint Secretary.
71. Shri K. V. Iyer, Joint Director.

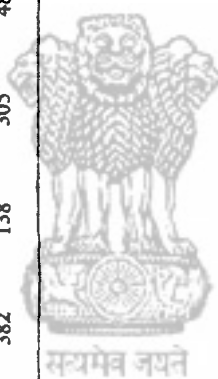


APPENDIX VI (F)

Statement showing the number of persons representing different interests who appeared before the Committee on Labour Welfare for the purpose of tendering oral evidence

Sl. No.	States/Union Territories	Date of visits	Ministers/ eminent persons	Govern- ment Offi- cials	Public Sector Un- dertakings/ Autonomous bodies	Employers Representa- tives	Workers Representa- tives	Members of Para- liament	Representa- tives of Central Ministries and Planning Commission, New Delhi	Representa- tives of Central Employers Organisa- tions	Representa- tives of Central Organisa- tions of workers	Others	Total
1	2	3	4	5	6	7	8	9	10	11	12	13	14
1	Punjab	. . . 26th & 27th October, '67.	3	14	..	2	2	..	..	..	..	..	21
2	Chandigarh	. . . 27th October, '67	1	6	..	3	12	..	..	..	..	..	22
3	Haryana	. . . 28th October, '67	..	11	2	2	3	..	..	..	..	..	18
4	Himachal Pradesh	. . . 29th & 30th October, '67.	2	15	..	1	8	..	..	..	..	..	26
5	Andhra Pradesh	. . . 20th to 21st November, '67.	1	11	5	12	20	..	..	..	..	..	49
6	Tamil Nadu	. . . 22nd to 25th November, '67.	..	21	7	8	38	..	..	..	4	..	78
7	Kerala	. . . 26th—28th November, '67.	1	15	3	7	11	..	..	..	11	..	48
8	Bihar	. . . 12th to 16th December, '67.	..	29	18	19	30	..	..	..	6	..	102
9	Orissa	. . . 17th to 20th December, '67.	1	19	16	16	19	..	..	..	..	..	71
10	Goa	. . . 14th to 16th January, '68.	..	1	5	9	7	..	..	..	..	..	22
11	Mysore	. . . 17th to 20th January, '68.	..	2	14	17	6	..	..	..	..	..	39
12	Maharashtra	. . . 21st to 25th January, '68.	4	56	4	40	33	..	..	..	2	..	139
13	Rajasthan	. . . 4th to 10th March, '68.	1	48	8	21	82	..	..	..	6	..	166
14	Gujarat	. . . 5th to 11th April, '68.	..	18	3	14	12	..	..	..	..	..	47

15	Assam	26th to 30th April, '68	1	18	2	20	21	..	..	..	..	2	64
16	West Bengal	1st to 5th May, '68	..	14*	2	29	19	..	..	..	..	1	65
17	Uttar Pradesh	1st to 9th June, '68	..	22	10	40	27	..	..	..	..	8	107
18	Madhya Pradesh	25th June to 3rd July, '68.	..	46	11	21	98	..	..	..	..	5	181
19	Jammu & Kashmir	12th to 17th October, '68.	1	10	13	5	23	..	..	..	..	15	67
20	Delhi	(i) 19th to 21st September, '68.	..	8	15	19	15	..	..	..	..	8	65
		(ii) 16th November, '68 to 28th December, '68.	..	..	..	..	..	6	70	5	8	..	89
TOTAL			16	382	138	305	486	6	70	5	8	68	1486





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